

21-1892/1-31-4-1

Sir A. Shevlin

ROYAL COMMISSION

21-1892

ON

THE LIQUOR TRAFFIC

MINUTES OF EVIDENCE

VOL. IV.—PART I.

PROVINCE OF ONTARIO

PRINTED BY ORDER OF PARLIAMENT



OTTAWA

PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST
EXCELLENT MAJESTY

1895

[No. 21—1894.]

ROYAL COMMISSION
ON
THE LIQUOR TRAFFIC
MINUTES OF EVIDENCE

VOL. IV.—PART I.

PROVINCE OF ONTARIO

PRINTED BY ORDER OF PARLIAMENT



OTTAWA

PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST
EXCELLENT MAJESTY

1895

[No. 21—1894.]

GENERAL INDEX.

ONTARIO.

Name.	Residence.	Place where Evidence taken.	Page.
Adams, W. C.	Toronto	Toronto	1,165
Aikens, W. Thomas	Toronto	Toronto	820
Alexander, Thomas	London	London	359
Allen, Benjamin	Owen Sound	Owen Sound	553
Anglin, Hon. Timothy W.	Toronto	Toronto	914
Anthes, J. S.	Berlin	Berlin	430
Archibald, David	Toronto	Toronto	641
Armour, Hon. J. Douglas	Toronto	Toronto	1,042
Armstrong, William A.	Owen Sound	Owen Sound	525
Arnott, Henry	London	London	390
Baldwin, Rev. A. H.	Toronto	Toronto	741
Baldwin, Right Rev. Bishop	London	London	401
Ball, Francis R.	Woodstock	Woodstock	228
Bartlett, Alex.	Windsor	Windsor	27
Basso, Michael	Toronto	Toronto	1,177
Beasley, Thomas	Hamilton	Hamilton	122
Bell, William	London	London	364
Bennett, Archie	London	London	403
Bishop, W. A.	Owen Sound	Owen Sound	53
Blaicher, Peter C.	Hamilton	Hamilton	102
Bogert, Rev. J. J.	Ottawa	Ottawa	1,333
Booth, D. S.	Brockville	Brockville	1
Bowlby, W. H.	Berlin	Berlin	438
Bowman, A. S.	Berlin	Berlin	450
Bowman, J. D.	Berlin	Berlin	436
Bowman, William	London	London	367
Boyd, S. I.	Brockville	Brockville	28
Brady, James	Woodstock	Woodstock	218
Bradley, Stinson	Milton	Hamilton	187

Name.	Residence.	Place where Evidence taken.	Page.
Breckenridge, Robert	Owen Sound	Owen Sound	537
Brethour, Rev. D. L.	Burlington	Hamilton	144
Brewster, A. J.	Hespeler	Berlin	424
Brown, H. P	Woodstock	Woodstock	265
Brown, Vesey	London	London	399
Brown, William	Owen Sound	Owen Sound	564
Buchanan, W. W.	Hamilton	Hamilton	148
Buell, Col. Jacob D.	Brockville	Brockville	30
Burns, Rev. W.	Toronto	Toronto	1075
Calcott, Henry	Ashburnham	Peterborough	66
Caldecott, Stapleton	Toronto	Toronto	1173
Cameron, John	Woodstock	Woodstock	258
Campbell, Rt. Rev. Bishop	Toronto	Toronto	1046
Caruthers, Robert A.	London	London	374
Casey, T. W	London	Hamilton	195, 371
Chadwick, Austin C.	Guelph	Guelph	480
Chaman, William F.	Peterborough	Peterborough	100
Chamberlin, Albert	Toronto	Toronto	1106
Chapman, Edward	Toronto	Toronto	1145
Chisholm, William	Owen Sound	Owen Sound	544
Christie, Robert	Toronto	Toronto	992
Clark, Daniel	Toronto	Toronto	988
Clark, Mortimer	Toronto	Toronto	1181
Clark, Professor	Toronto	Toronto	798
Clarke, John, M.D.	Peterborough	Peterborough	90
Cochrane, George	Peterborough	Peterborough	69
Cole, W. H.	Brockville	Brockville	3
Cook, Jonathan	Berlin	Berlin	462
Copp, Anthony	Hamilton	Hamilton	209
Copp, William J.	Hamilton	Hamilton	180
Cosgrove, Lawrence	Toronto	Toronto	967
Cowan, Agnes	Toronto	Toronto	1090
Cowan, Walter S.	Guelph	Guelph	494
Cox, George	Ottawa	Ottawa	1329
Crerar, John	Hamilton	Hamilton	130

GENERAL INDEX.

v

Name.	Residence.	Place where Evidence taken.	Page.
Crews, A. H.	Toronto	Toronto	1176
Cribben, W. C.	Toronto	Toronto	744
Cummer, W. L.	Hamilton.	Hamilton.	164
Cunningham, Rev. A.	Guelph.	Guelph.	500
Cunningham, Robert.	Guelph	Guelph.	514
Dargavel, John	Brockville	Brockville.	24
Davies, Robert.	Toronto	Toronto	713
Deacon, Joseph, Q:C.	Brockville	Brockville.	12
Denison, G. T.	Toronto	Toronto	722
Devitt, Benjamin.	Berlin	Berlin	432
Dewart, Rev. E. H.	Toronto	Toronto	1123
Dewart, Herbert Hartley.	Toronto	Toronto	807
Dexter, Thomas.	Toronto	Toronto	839
Dickson, W. H.	Toronto	Toronto	1109
Dillon, John M.	London	London	385
Dixon, Ven. Alexander.	Guelph	Guelph.	488
Dobson, James.	Toronto	Toronto	1147
Dougherty, Alex.	Toronto	Toronto	949
Doidge, George	Toronto	Toronto	792
Douglass, Malcolm	Woodstock.	Woodstock.	266
Duhamel, Most Rev. J. T.	Ottawa	Ottawa	1330
Dumble, D. W.	Peterborough.	Peterborough.	79
Dumbrille, John.	Maitland	Brockville.	27
Dumoulin, Rev. J. P.	Toronto	Toronto	942
Eaton, Christopher.	Owen Sound.	Owen Sound.	556
Eden, George.	Woodstock	Woodstock.	226
Edwards, E. B.	Peterborough.	Peterborough.	93
Ellis, W. H.	Toronto	Toronto	1143
Essery, E. T.	London.	London.	334
Eyres, William.	Peterborough	Peterborough.	97
Farthing, Rev. J. C.	Woodstock.	Woodstock	240
Fife, Joseph A.	Peterborough.	Peterborough.	73
Fisher, E. D. T.	Toronto	Toronto	1171
Fisher, Wallis	Toronto	Toronto	1182

Name.	Residence.	Place where Evidence taken.	Page.
Fleming, Christopher A	Owen Sound	Owen Sound	569
Fleming, Oscar E.	Windsor	Windsor	292
Fleming, R. J.	Toronto	Toronto	571
French, Charles N.	Brockville	Brockville	41
Frizzell, Rev. W.	Toronto	Toronto	652
Garvey, John	London	London	362
Gaviller, A. C	Grand Valley	Toronto	1092
Geddes, Charles R.	Berlin	Berlin	463
Geoghagan, Rev. Thomas.	Hamilton	Hamilton	177
Gill, John M	Brockville	Brockville	44
Gillett, James C.	Windsor	Windsor	308
Gooderham, George	Toronto	Toronto	958
Gowdy, Rev. H	Berlin	Berlin	460
Graham, Robert	Lakefield	Peterborough	50
Grassett, Col. H. J.	Toronto	Toronto	580
Green, John	Toronto	Toronto	597
Grey, William	Woodstock	Woodstock	263
Gundy, Rev. J. R	London	London	405
Gurney, Edward	Toronto	Toronto	962
Hamilton, Peter	Peterborough	Peterborough	96
Harris, John	Guelph	Guelph	510
Hartley, Rev. W	Guelph	Guelph	512
Hay, James	Woodstock	Woodstock	211
Hazzard, Thomas	Mimico	Toronto	587
Heakes, S. R	Toronto	Toronto	601
Hebblewhite, Thomas	Almonte	Ottawa	1313
Henderson, Robert	London	London	342, 388
Hibner, D.	Berlin	Berlin	451
Hilborn, E. H	Toronto	Toronto	1099
Hincks, Rev. W	Owen Sound	Owen Sound	558
Hollenrick, H. J.	Toronto	Toronto	1153
Horton, Albert	Toronto	Toronto	970
Howland, W. H.	Toronto	Toronto	879
Inglis, George	Owen Sound	Owen Sound	560

Name.	Residence.	Place where Evidence taken.	Page.
Innes, Very Rev. G. M.....	London.....	London.....	383
Itier, Peter.....	Berlin.....	Berlin.....	426
Jaffery, Robert.....	Toronto.....	Toronto.....	738
Jamieson, Joseph.....	Guelph.....	Guelph.....	483
Jelfs, Geo. F.....	Hamilton.....	Hamilton.....	108
Johnson, George.....	Ottawa.....	Ottawa.....	1351
Karn, D. W.....	Woodstock.....	Woodstock.....	244
Keefer, Rev. B. C.....	Toronto.....	Toronto.....	1112, 1146
Kelly, Jonathan.....	Guelph.....	Guelph.....	515
Kelso, J. J.....	Toronto.....	Toronto.....	719
Kennedy, Warring.....	Toronto.....	Toronto.....	1127
Kettlewell, Rev. W.....	Toronto.....	Toronto.....	1083
Kingston, Charles A.....	London.....	London.....	353
Kinton, Florence.....	Toronto.....	Toronto.....	1088
Kloepfer, Rev. W.....	Berlin.....	Berlin.....	440
Kranz, Hugo.....	Berlin.....	Berlin.....	449
Kribs, Louis P.....	Toronto.....	Montreal.....	1190, 1264 1287
Labatt, G. T.....	Prescott.....	Brockville.....	36
Labatt, John.....	London.....	London.....	365
Lackner, H. C.....	Berlin.....	Berlin.....	420
Lang, George.....	Berlin.....	Berlin.....	447
Lauder, Ven. J. S.....	Ottawa.....	Ottawa.....	1361
Laughlin, Arthur.....	Toronto.....	Toronto.....	607
Ledyard, Rev. James.....	Owen Sound.....	Owen Sound.....	566
Lee, Arthur S.....	Toronto.....	Toronto.....	924
Logan, Matthew.....	Toronto.....	Toronto.....	611
Logan, Robert.....	Toronto.....	Toronto.....	946
Low, Rev. J. G.....	Almonte.....	Ottawa.....	1364
Lucus, J. S.....	Toronto.....	Toronto.....	1167
Mansell, David.....	Brockville.....	Brockville.....	40
Mason, J. H.....	Toronto.....	Toronto.....	908
Mason, John J.....	Hamilton.....	Hamilton.....	183
Massey, H. A.....	Toronto.....	Toronto.....	832
Massie, James.....	Toronto.....	Toronto.....	104

Name.	Residence.	Place where Evidence taken.	Page.
Millar, J. C.	Woodstock	Woodstock	269
Miller, James C.	Owen Sound	Owen Sound	561
Miller, John	Owen Sound	Owen Sound	551
Miller, R. B.	Owen Sound	Owen Sound	568
Milligan, Rev. G. M.	Toronto	Toronto	1159
Milne, John	Hamilton	Hamilton	204
Montreuil, Luc	Walkerville	Walkerville	329
Moore, C. H.	Owen Sound	Owen Sound	517
Moore, Rev. W.	Ottawa	Ottawa	1374
Morgan, J.	London	London	347
Morrison, Curran	Toronto	Toronto	584
Morrison, J.	Woodstock	Woodstock	218
Motz, John	Berlin	Berlin	459
Mowat, J. Gordon	Toronto	Toronto	1055
Mowatt, Fred	Toronto	Toronto	639
Moyer, P. E. W.	Berlin	Berlin	441
Mulholland, Ven. Archdeacon	Owen Sound	Owen Sound	543
Murton, J. W.	Hamilton	Hamilton	155, 175
Mylius, Rudolph	Berlin	Berlin	454
MacDonnell, Rev. D. J.	Toronto	Toronto	661
MacDougall, Hon. Joseph E.	Toronto	Toronto	578
MacLaren, J. J.	Toronto	Toronto	854
McCarthy, D. J.	Prescott	Brockville	38
McCuaig, W. C.	Windsor	Windsor	331
McCauley, John	Owen Sound	Owen Sound	531
McKay, Rev. W. A.	Woodstock	Woodstock	249
McKay, W. G.	Woodstock	Woodstock	232
McKellar, A.	Hamilton	Hamilton	141
McKenzie, John I.	Hamilton	Hamilton	123
McKinnon, Hugh	Hamilton	Hamilton	113, 162
McLaughlin, James	Owen Sound	Owen Sound	526
McMahon, T. F.	Toronto	Toronto	698
McRitchie, Rev. G.	Ottawa	Ottawa	1380
McVeity, William	Ottawa	Ottawa	1337
Ogden, Lyndhurst	Toronto	Toronto	877

Name.	Residence.	Place where Evidence taken.	Page.
Ogilvie, James	Hamilton	Hamilton.....	160
O'Keefe, Eugene.....	Toronto	Toronto	729
O'Reilly, John.....	Ottawa.....	Ottawa.....	1337
Orr, W. H.....	Toronto	Toronto	590, 619 712, 877
Pacaud, Gaspard.....	Windsor.....	Windsor.....	286
Parke, E. Jones.....	London	London.....	355
Parker, S. J.....	Owen Sound.....	Owen Sound.....	529
Patterson, Rev. W.....	Toronto	Toronto	1072
Pearce, C. C.....	Owen Sound.....	Owen Sound.....	538, 548
Pearce, E.....	Peterborough.....	Peterborough.....	48
Pearson, Rev. J.....	Toronto	Toronto.....	906
Phillips, R. R.....	Yonge.....	Brockville.....	17
Potts, Rev. John.....	Toronto	Toronto.....	776
Powell, J. B.....	Guelph.....	Berlin.....	428, 474, 500
Preston, W. T. R.....	Toronto	Toronto	1130
Randall, Fred	Guelph.....	Guelph.....	474, 498
Raymond, C.....	Guelph	Guelph.....	507
Reid, Robert.....	London.....	London.....	350
Reynolds, W.....	Guelph.....	Guelph.....	482
Richardson, Prof. C. G.....	Toronto	Toronto	751
Richardson, Rev. G.....	Berlin.....	Berlin.....	443
Richardson, William.....	Brockville.....	Brockville.....	31
Rigsby, Rev. Walter.....	London.....	London.....	378, 397
Roach, George.....	Hamilton.....	Hamilton.....	203
Robbins, W.....	Walkerville.....	Walkerville.....	319
Roos, Michel.....	Berlin.....	Berlin.....	455
Ross, D. R.....	Embro.....	Woodstock.....	237
Ross, Hon. G. W.....	Toronto	Toronto	811
Ross, Rev. J. S.....	Woodstock.....	Woodstock.....	220
Roszell, Geo, I.....	Peterborough.....	Peterborough.....	62
Rudd, G. A.....	Brockville.....	Brockville.....	21
Rumper, George.....	Berlin.....	Berlin.....	452
Saunders, Eudo.....	Windsor.....	Windsor.....	302
Saunders, Thomas W.....	Guelph.....	Guelph.....	490

Name.	Residence.	Place where Evidence taken.	Page.
Schoff, Elgin	Toronto	Toronto	682
Scott, Rev. W. L.	Toronto	Toronto	1187
Scripture, G. N.	Toronto	Toronto	783
Sewell, R	Toronto	Toronto	747
Shaver, H. H.	Toronto	Toronto	1184
Sleeman, George	Guelph	Guelph	504
Small, John	Toronto	Toronto	669
Smith, C. R.	Hamilton	Hamilton	210
Smith, Prof. Goldwin	Toronto	Toronto	847
Smith, Thomas	Walkerville	Walkerville	325
Smith, W. G.	Guelph	Guelph	467
Snell, J. C.	Toronto	Toronto	1044
Snider, J. H.	Toronto	Toronto	1119
Snyder, Frederick	Berlin	Berlin	453
Speers, J. D.	Owen Sound	Owen Sound	567
Spence, F. S.	Toronto	Toronto	998
Spence, E. S.	Toronto	Montreal	1237
Spencer, A. J.	Owen Sound	Owen Sound	546
Spencer, George	Owen Sound	Owen Sound	520
Stark, W.	Toronto	Toronto	703
Stephen, J.	Toronto	Toronto	1080
Stephen, J. J.	Toronto	Toronto	950
Stephens, James C.	Owen Sound	Owen Sound	548
Stewart, John Knox	Toronto	Toronto	950
Stratton, W. C.	Toronto	Toronto	672
Stroud, William	Hamilton	Hamilton	206
Sutherland, Henry	Toronto	Toronto	1186
Taylor, Edward	Toronto	Toronto	594
Thom, Rev. James	Peterborough	Peterborough	86
Thomas, W. J.	Toronto	Toronto	783
Thomson, James	Toronto	Toronto	1104
Thorburn, James, M. D.	Toronto	Toronto	770
Thornley, Mrs. May	London	London	415
Totten, Henry	Toronto	Toronto	928

Name.	Residence.	Place where Evidence taken.	Page.
Walker, Franklyn H.	Walkerville	Walkerville.....	309
Wallace, Rev. O. S. C.	Toronto	Toronto	1067
Walter, Frederick.	Hamilton.	Hamilton.....	138, 208
Watson, A. D.	Toronto	Toronto	1168
Whitney, Albert.....	Prescott.....	Brockville.....	9
Wilkie, D. R.....	Toronto	Toronto	693
Will, Horace R.....	Woodstock	Woodstock	260
Williams, D. H	London	London.....	412
Wills, Elias.....	Windsor	Windsor	298, 331
Wilson, A.....	Hamilton	Hamilton.....	175
Winch, H. C.....	Peterborough	Peterborough	84
Winfield, Rev. Thomas W.....	Ottawa	Ottawa.....	1377
Winterhalt, H.....	Berlin.....	Berlin	465
Wiser, John P.....	Prescott.....	Brockville	11
Wood, Robert E.....	Peterborough.....	Peterborough.	57
Young, W. H.....	Halton County.....	Hamilton	168
Young, Rev. R. W.....	Peterborough	Peterborough.	91

ROYAL COMMISSION
ON THE
LIQUOR TRAFFIC.

MINUTES OF EVIDENCE.

ONTARIO.

BROCKVILLE, October 2, 1893.

The Royal Commission on the Liquor Traffic met here this day.

Present :

JUDGE McDONALD.

MR. E. F. CLARKE.

The commission having been read,

JUDGE McDONALD said : The Chairman of the Commission, Sir Joseph Hickson, is not with us to-day, not yet having returned from Europe. The Rev. Dr. McLeod is expected to arrive in time for the afternoon sitting to-day, and Mr. Gigault is expected to attend later sittings of the Commission in this Province. The inquiry is now open.

DAVID SPENCER BOOTH, of Brockville, Mayor, on being duly sworn, deposed as follows :—

By Judge McDonald :

- 1a. You are Mayor of the town of Brockville ?—Yes.
- 2a. How long have you resided in Brockville ?—Close on forty years.
- 3a. What is your business calling or occupation ?—Contractor.
- 4a. Have you as a contractor had much to do with the building of public works ?—

Yes.

5a. Have you ever had to do with public works in connection with which the law prohibited the sale of intoxicating liquors for a certain distance ?—Yes, that was provided in all the specifications—that no liquor shall be sold on the works.

6a. And within a certain distance ?—I do not recollect as to the distance. It specifies as to the work while in progress.

7a. Has your work been the construction of railways in new sections of the country ?—Yes, and that is specified in the same way.

8a. Did you find any difficulty in enforcing that law ?—There has been more or less smuggled in, though it was of course to the advantage of the contractors to keep it out.

9a. What is the population of Brockville at present ?—About 8,500.

10a. It has a good many men employed in manufacturing industries?—Yes, a good many men employed in manufacturing agricultural implements, in the James Smart Manufacturing Company, and in several other manufactories.

11a. Is there considerable business done here in the transshipment of lumber and coal?—There is a good deal in coal, but not so much in lumber as there has been. The freight is now taken across the river in cars instead of being transhipped in boats as formerly.

12a. Taking the different elements of population in the town, what is its character for sobriety?—So far as I know, it stands as well as most towns in Canada.

13a. A law-abiding population?—Yes.

14a. How strong is your police force?—Four policemen and a chief.

15a. Is that found sufficient for the purposes of the town?—Yes.

16a. Do you remember when the Scott Act was in force here?—I do.

17a. Having been a resident here for forty years, you must have been a resident during the whole time it was in operation?—Yes.

18a. Speaking as a citizen, how did you find its operation—was it successful?—I do not think so—not by any means from what I can hear.

19a. The Act appears to have been carried in December, 1884, by a majority of 674 and to have been repealed in May, 1889, by a majority of 1,278. Do you know whether there was a change in the vote, in the town of Brockville, between the two votes?—I do not think so.

20a. Was there a majority in favour of the Act in Brockville when it was carried?—Yes.

21a. Was there a majority in its favour, or against it, when it was repealed?—That I could not say.

22a. Taking the period when the Scott Act was in force and taking the time both before and after, including the present time, under the license act, have you noticed any considerable difference as to the sobriety of the community?—I do not know that I can say from personal observation, but, from what I have learned, I think there is more sobriety now than there was during the Scott Act period. I think there was more drinking and drunkenness and a great deal more liquor sold to private families during the Scott Act period than there is now. It seems to me to be always like this—when parties know it is against the law to get liquor, they seem more anxious to get it.

23a. In case of the enactment of a prohibitory law preventing the importation, manufacture and sale of intoxicating liquors for beverage purposes, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think I would, because there are precedents established for it all over the country.

24a. From your experience of the working of such a prohibitory law as we have had, would you favour the passing of a prohibitory law for the whole country?—I would.

25a. Of what description?—A complete prohibitory law against the manufacture, importation and sale of liquors.

26a. Do you think that such a law could be successfully enforced?—I do not know as to that.

27a. It is as a matter of principle you speak?—Yes.

By Mr. Clarke :

28a. From the experience you have had of the non-enforcement of the Scott Act, do you think it would be possible to enforce a prohibitory law for the Dominion generally?—I am not competent to give an opinion on that.

29a. Would you favour such a law if it could be enforced only as well as the Scott Act?—No, I would not. The enforcement of the Scott Act was a complete farce from beginning to end.

30a. What were the difficulties in the way of the enforcement of the Scott Act?—That I cannot tell.

31a. Can you give the Commission any information as to the causes of the law not being enforced?—I cannot.

DAVID SPENCER BOOTH.

32a. You do not know anything that militated against its enforcement?—I do not.

33a. Did the officers do their duty?—There were a great many parties brought up. Matters were in such a state that it did not seem to me that it was possible to enforce the law without a great many more officers than were employed.

34a. Is the license law pretty well observed?—Oh, yes.

35a. Any difficulty in securing compliance with its provisions?—No. I think it is very well carried out.

36a. In the interest of temperance, as between the Scott Act and the present License Act, which would you prefer?—I could not speak of the temperance people, but I think the majority would favour the License Act.

37a. For what reason?—For the reason that during the operation of the Scott Act there was more liquor sold to private families, and more drunken men around, than under the License Act. That is what I am credibly informed.

38a. In the course of your business, have you been in other counties where the Scott Act was in force?—I have, but not to make any personal observations.

39a. From what you can learn and from what you know, the Act did not work well here?—No, it did not.

40a. You would prefer a license system to the Scott Act?—Yes.

WILMOT H. COLE, of Brockville, County Registrar, on being duly sworn, deposed as follows:—

By Judge McDonald :

41a. You are the Registrar of this county?—Yes.

42a. And Chairman of the Board of License Commissioners?—I am.

43a. For two districts?—No, for this district. They call it Brockville and Leeds.

44a. It takes in the whole Electoral District of Brockville and part of Leeds?—Yes, except the townships of Kitley and Elmsley.

45a. How long have you been Registrar?—Since 1882.

46a. And how long have you been Chairman of the Board of License Commissioners?—Since 1884, I think.

47a. How long have you resided in Brockville?—Nearly sixty years.

48a. You are a native of Brockville, I believe?—Yes.

49a. You were Chairman of the Board of License Commissioners before the passing of the Scott Act, during the time it was in force, and since its repeal?—Yes.

50a. Was the machinery for the enforcement of the law the same during all that period—I mean in the way of the Board and the Inspector?—Yes; there was no change.

51a. That Board granted such licenses as were given under the Scott Act?—Yes, druggists' licenses.

52a. That Board of Commissioners consists of how many?—Three.

53a. Appointed by whom?—The Ontario Government.

54a. And how is the Inspector appointed?—By the Ontario Government.

55a. And he is subject to the Board, I suppose, so far as the statutes permit?—I think so.

56a. Has the same gentleman been Inspector during the whole time of your holding office?—No. The late Mr. Field was Inspector the first two or three years, and on his death Mr. Phillips was appointed.

57a. Mr. Phillips was Inspector during the Scott Act period?—Yes.

58a. At what date of the year are licenses granted?—An application for a license must come in prior to the first of April. If it is for a new license, the law now is that it must be accompanied by a petition signed by a majority of the Legislative Assembly electors of the polling subdivision in which the proposed licensed house is situated. This comes before the Board at its meeting prior to the first of May, and if the application is

in accordance with the law, and no objection is raised against the character of the man or the house, and the Inspector reports favourably to the application, it is granted.

59a. What are the requirements of the law?—So many sleeping apartments, proper outbuildings, and so on. We had a rule in this riding for several years before it was put into the Act, that if a man was convicted three times during the year of violating the law he would not get his license the succeeding year; and there have been several parties cut off on that ground. We have considered that the law was reasonably easy to be kept, and that they should keep it; that was principally with reference to selling on Saturday night and Sunday.

60a. Have you received more applications than the law permitted for a particular section?—No, I do not think we had more applications than the municipal law would allow. The number is limited in Brockville, and in one or two other places. I do not think in one year there have been as many granted as there have been applications. At your request I got the Inspector to make out a list of the applications each year since the time of the Scott Act, with the amounts received in fines and fees, which I put in.

61a. Does the Board have anything to do with seeing that the law is observed, with regard to people not selling without license. Or does the Inspector attend entirely to that?—A good deal of it comes before me in this way. The Inspector does not live in Brockville, and a great many complaints have been made that the Inspector was not here to see that the Saturday night and Sunday law was enforced; and as it is very hard for one man to cover a large territory, I have given the people to understand that if they wanted the law enforced in Brockville, all they had to do was to give me the information, and I would give the Inspector or the Chief of Police instructions, and the law would be enforced. That has been the practice for several years.

62a. And from the information you have received, how has the law been observed?—I have received a number of complaints. I have received some complaints anonymously, but to those I pay no attention, because I have no confidence in any one who sends a letter of that kind. But when I receive a complaint, and I know that it comes from a reputable source, I hand it over to the Chief of Police.

63a. Judging from those complaints and the information you receive, have you reason to believe that the law is fairly well observed?—I have reason to believe it is well observed.

64a. During the time the Scott Act was in force, what system was adopted in regard to the raising of money and the enforcement of the law; you had the Inspector's salary and other expenses to provide for; how were they provided for?—The Inspector was paid by the Ontario Government, the same as now, and a certain proportion of fines went to the Ontario Government.

65a. We understand that under the Scott Act the Dominion Government provided that the fines should be paid to the County Treasurer, and in separated towns to the Treasurer of the town. Were those fines available to you?—Yes, the county paid a proportion of the expenses in the county, and in the town we arranged with the Town Council that any expenses certified to, as being correct by the Police Magistrate and myself, should be paid to the Town Treasurer without going before the Council.

66a. Were the expenses in the county paid in the same way?—They were paid by the County Council. I do not remember the form.

67a. Had you a requisition made for the purpose and furnished to the City Council?—To the County Council, but in the town it was done more direct.

68a. But you furnished to the County Council a requisition for the sums needed?—I do not remember. I think the accounts were sent in, and paid by them. The Inspector could answer that better.

69a. In the town of Brockville, did the amount of money received by the town in fines exceed the sum you required the town to pay in the way of these expenses?—Oh, yes, by considerable.

70a. Was it the same, so far as you know, in the county, that there was an excess of money received over what was needed to be expended for the purpose of the Act?—It might have been a little, but not a great deal. I do not think after they paid the expenses they had much left, because there were not many fines in the county.

WILMOT H. COLE.

71a. There was a Police Magistrate appointed for the county?—Yes.

72a. And the ordinary Police Magistrate attended to the town?—Yes.

73a. Did people send complaints to you at the time the Scott Act was in force?—I think they all came to me, that is, during the last two years of the Scott Act.

74a. In the same manner as you told us in regard to the license law?—Yes.

75a. Were there any anonymous ones?—There were some in the first year, but I gave the people to understand that we would not pay any attention to anonymous letters, and they then fell off. During the last two years the information came pretty much from one person, We handed them to the Chief of Police, and he attended to them, and the fines were paid to the town.

76a. From your observation, was the Scott Act well enforced in the town?—I think it was as well enforced as the Scott Act could be enforced. The Scott Act was a pretty lame Act.

77a. When the Scott Act was adopted, was there a majority in the town in its favour?—Yes.

78a. Was there when the Act was repealed?—I think there was a larger majority in favour of repeal than in favour of the Act when it was adopted.

79a. Do you think there was as much drunkenness during the time of the Scott Act as before or since?—I do not think there was as much drunkenness or as many convictions.

80a. Do you know whether there was any more liquor drunk?—I do not know as to that. I should not wonder, knowing from the records of the Police Court and the information that came to me, that there were violations of the law.

81a. Were those violations of the law by different individuals?—Yes.

82a. Are there any amendments in the way of legislation, that you could suggest to this Commission?—To the Scott Act?

83a. Yes, or any other Act?—It always seemed to me that the Scott Act being a Dominion Act, the officers named in the Act should be especially charged to enforce it. I never understood whether the officers here were instructed to enforce it or not, and it was always difficult to find out whether the Dominion officials or the Ontario license officials should undertake the enforcement of the Scott Act.

84a. Who did undertake to enforce it?—The Inspector here tried to enforce it, but one man could not be all over the district at once; and I think the temperance people were to blame, because as soon as the Act was passed they seemed to think that all drinking should cease, and the Act be properly observed. That was not a reasonable expectation, and that I think accounts for the large vote to repeal it, because it did not accomplish what they desired it should, not what they had a right to expect it should.

85a. Did you observe whether that Act was better observed when it first came into force than after a lapse of time?—I do not know as it was.

86a. Did you find more complaints come in during the later years than during the first few months?—No, I do not think there was. I look on any measure of that kind as one that would have to be considered for a long time, as educating the people. If we had a law giving the privilege to a certain number of people to steal, and stealing were made respectable in that way, and we afterwards suddenly found that it was wrong, and enacted a law against stealing, you would find people steal still.

87a. Do you put stealing in the same category as drinking?—I am speaking of that simply as an illustration of people's feelings getting blunted. People have to be educated up to these matters.

88a. Are you personally in favour of a prohibitory law?—I am.

89a. Preventing the manufacture, importation and sale throughout the Dominion?—Yes.

90a. In case of the enactment of such a law, would you favour compensation to brewers and distillers for plant and machinery rendered useless?—I do not know as I would.

91a. You understand that under the statutes, brewers and distillers are required to have a certain plant, and to comply with certain regulations?—Yes.

92a. And the enactment of the law prohibiting manufacture would virtually render that plant useless?—No doubt it would; but a law might be enacted that would

change the operations of any business through the commercial necessities of that business, and I do not think the people of that business should say, "You have changed the law and we are thrown out of some of our property, and you should remunerate us." We do not know where such a thing would stop.

By Mr. Clarke :

93a. Do you take into consideration the character of the applicant, when a license is issued from year to year?—We do.

94a. Do you think it advisable to have good men in the trade?—We do.

95a. To make it as respectable as possible, by having respectable men conducting it?—When we grant licenses, they are considered as granted for houses of entertainment, and I do not think a man of bad character would be a proper person to entertain the public.

96a. You think it advisable, then, to have men of good character in the business of selling liquor?—I think so, for that reason.

97a. The town and county authorities gave you reasonable assistance in enforcing the Scott Act, I understood you to say?—Oh, yes.

98a. Do you think the Act was fairly well enforced?—I think it was as well enforced as a weak act like that could be.

99a. You say it was a lame Act. What was lame about it?—In a great measure it seemed to be everybody's business to enforce it, and everybody seemed to shirk the responsibility of enforcing.

100a. What amendments would you suggest to the Act to make it more enforceable?—To have it properly enforced, I think would require a special army of officers for that purpose.

101a. I understand that under the Order in Council the municipalities received the fines imposed for the infraction of the law, and they were expected to use those fines to defray the expense of enforcing it. Did anything stand in the way of the municipalities appointing a sufficient number of officers to enforce the law?—I do not know anything in the way.

102a. Did the question of taxation or of increased expenditure in the municipalities come in?—I do not remember its ever coming up in that way.

103a. What obstacle was in the way of the appointment of officers?—There was this obstacle in the way of the local police—I am just speaking of my observation in Brockville; if they went into a place to see if liquor were sold, the remark would be made, that they had been seen coming out of a hotel the worse of liquor. I have heard such remarks made when the officers might have gone in to see if liquor was sold. Whereas if you had men whose duty it was, and that alone, the same remarks might not be made about them.

104a. Could you suggest any changes in the Act, to make it more efficient?—No more than to have special officers for its enforcement.

105a. What authority do you think should appoint those officers?—The authority that enacts the law, whether local or Dominion.

106a. Or the municipalities?—If it is left to the municipalities, I think the Government that enacts the law should make it compulsory on the municipalities, and not leave it optional; or the body that enacts the law should themselves appoint the officers.

107a. That is, the people themselves who vote the law into existence?—Yes.

108a. Since the Scott Act was repealed how have the convictions for drunkenness compared with the convictions during the Scott Act period?—So far as Brockville is concerned, I think we have stood very much better since the Act was repealed than we did prior to the Act. I think that, during the years that we had the Scott Act, it was quite an educational force here. I know we have been able to reduce our licenses very much. We had twenty-two or twenty-four licensed places before the Scott Act, and we have now eleven hotels and shops.

109a. Has the number been limited by the action of the Town Council?—Yes, by a by-law passed by the people.

WILMOT H. COLE.

110a. Then you think the Scott Act was an educator for good?—Yes, I think it was.

111a. Notwithstanding the fact that it was imperfectly enforced?—Yes; and I think for the non-enforcement the temperance people were as much to blame as anybody else.

112a. How is that?—They seemed to think that it was somebody else's duty beside theirs to assist in enforcing the Act, and in that I did not agree with them.

113a. Do you think it would be proper to deprive the people of the privilege they now enjoy, under the Scott Act, of bringing in liquor from outside for their own use?—That I could not answer.

114a. Do you look on the Scott Act as class legislation?—That I suppose would be warped by a man's views.

115a. What is your opinion about it?—I do not think it is any more class legislation than any of the restrictive laws we have.

116a. Would you favour the withdrawal of that privilege where the Act is in force, whereby people may bring in liquor and store it in their houses for their own private use?—Well, I am strongly in favour of a prohibitory law over the whole Dominion.

117a. What do you mean by a prohibitory law?—Prohibiting the importation, manufacture and sale of liquor as a beverage.

118a. Are you in favour of an Act that would not permit the importation by persons of any liquor for their own private use?—Yes, I would favour it. That sort of a law might be an inconvenience to the few, but I think that would be as nothing compared to the benefit of many.

119a. Do you know any country where such a law is in force?—It is said to be in force in the State of Maine.

120a. The State of Maine does not prohibit the importation of liquor by persons for their own use. Do you think it would be well to put all people in a Scott Act district, in the same position that they could not obtain liquor at all except on a physician's certificate from a druggist?—Yes.

121a. Do you know anything of the operation of the Scott Act outside of this district?—No more than what I have read in the papers; nothing from observation.

122a. To what do you attribute the change of feeling in the county and town which resulted in the repeal of the Act?—When the vote came up for repeal, a great many temperance people were disgusted that the law did not accomplish everything they expected it would, and they did not go out to vote.

123a. You think a great many people voted to repeal the Scott Act because its operations did not come up to their expectations?—I think the reason those who had voted to bring the Scott Act into effect, and then refrained from voting when the question of repeal came on, was because the operation of the Act did not accomplish what they had hoped it would accomplish.

124a. And did not give satisfaction to them?—Did not give satisfaction.

By Judge McDonald:

125a. I find by the Government statistics that when the Scott Act was adopted in the united counties of Leeds and Grenville, the voting stood 5,058 in favour of the Act and 4,384 against it, a majority of 674 in its favour, and that when it was repealed there voted for the Act 3,660, and for its repeal 4,938, a majority for repeal of 1,278, nearly double the previous majority for the Act; and this was caused principally by abstainers, you think?—Yes, very largely; that was my impression.

126a. Would you permit the manufacture and importation of liquor for medicinal and sacramental purposes?—Yes.

127a. Would you, for those purposes, permit people to manufacture?—Yes, for I think we should allow our own people to manufacture what we would allow others to import for those purposes.

128a. Have you thought out the way in which you would limit the production to the amount needed simply for those three purposes?—I suppose the easiest way to do that would be to have it done under Government control.

129a. Would you have the Government take the manufacture into their own hands?
—Yes, that is what I mean by Government control.

130a. Supposing such a prohibitory law were passed for the whole Dominion, do you think the Dominion Government should undertake the enforcement of that law, or leave it like other criminal laws to be enforced by officers of the Provincial Government?
—I do not think that would be a matter of so much moment if the officers were specially designated for that purpose.

131a. Have you considered how provision should be made for the payment of the salaries of such officers?—I think the temperance community would have to recognize this fact—that they would have to pay a large portion of the expenses of enforcement. At present the expenses under the License Act are paid in a large measure by the people who consume liquor, and the Government gets the advantage.

132a. There would be that revenue taken away?—Yes.

133a. And there would be the expense of the special officers for the enforcement of the law?—Exactly, and the temperance people want to understand that. I think another mistake is made by temperance people in saying that so large an amount would be saved in the expense of administration of justice. I do not think anything would be saved in the administration of justice except probably that fewer persons would be sent to jail for drunkenness; but the other portion of the expenses of the administration of justice would have to go on as now.

134a. Can you state what revenue has been received from licenses and fines in this district since the Scott Act was repealed?—The total amount received from licenses, fines and transfers in 1889 was \$15,028; in 1890, \$12,501; in 1891, \$12,287; in 1892, \$13,198, and in 1893, \$11,706.

135a. Can you tell how much of that the municipality has got?—The Inspector can give you that.

136a. In the event of the enactment of a prohibitory law for the Dominion, have you thought of a mode in which the revenue now collected in the way of duties on manufactured and imported liquors, amounting to between \$6,000,000 and \$7,000,000, would be made up?—I think there would have to be, as in the old country, something in the shape of an income tax or a direct tax on the people.

137a. Would the loss of revenue to the Provincial Governments and the municipalities have to be made up in the same way?—Yes, the large bulk of the revenue in the municipalities is by direct taxation now. I have no doubt that would have to be increased in many cases. That kind of a tax would be unpopular, but if the large majority of the people want prohibition, they must face the contingency. If we consider it a benefit, we cannot enjoy it without paying for it.

By Mr. Clarke :

138a. Have you seen any statistics which indicate the results on the morals of the people, of the operation of a prohibitory law for a lengthened period?—No more than we see that the law in the State of Maine has been in force for many years.

139a. Have you ever inquired yourself as to the result of the law in the State of Maine?—Not particularly.

ALBERT WHITNEY, of Prescott, distiller, on being duly sworn, deposed as follows :—

By Judge McDonald :

140a. Where do you reside ?—In Prescott.

141a. What is your occupation or calling ?—I am a licensed distiller, connected with Wiser's distillery at Prescott.

142a. How long have you been connected with that distillery ?—About thirty years.

143a. And you resided during the whole of that time in Prescott ?—Yes.

144a. How long has the distillery itself been in operation ?—Thirty-six or thirty-seven years under this management. It has been in existence perhaps forty years altogether.

145a. Can you, without exposing your private affairs, give us information as to the business that is done in connection with the distillery ?—During the last ten years the distillery has had a larger output than it had previously ; but that was brought about partially by the necessity of manufacturing a large quantity under the new law.

146a. Requiring you to keep the spirits a longer time, for rectification purposes ?—Yes, of course. The amount manufactured now is about what is demanded from year to year.

147a. In round figures what would it be ?—From 450,000 to 500,000 proof gallons per annum.

148a. Can you give us statistics showing the quantity of grain and other materials you use from year to year ?—I have only the statistics for 1888-89. Our distillery season is from the time we commence in September or October to the 30th of the following June or a little on into July. In the year 1888-89 the total quantity of grain used was 160,000 bushels, of which about two-thirds was corn from the United States and the rest barley, rye or oats produced in Canada.

149a. What was the quantity of spirits manufactured that year ?—484,000 gallons.

150a. What revenue was paid the Government upon it ?—\$1.30 per gallon. In the year 1889-90, there was used 180,000 bushels of grain, in about the same proportions of imported and home-grown products, and the spirits produced were 566,000 gallons. In 1890-91, the grain used was 150,000 bushels and the spirits produced 450,000 gallons. In 1891-92, the grain used was 110,000 bushels and the spirits produced 357,000 gallons. In 1892-93, the grain used was 120,000 bushels and the spirits produced 370,000 gallons.

151a. What disposition is made of the spirits ? Is it all used in Canada, or is some part of it exported ?—It is practically all used in Canada. There is some exported to the United States, but not very much.

152a. Are any Canadian spirits exported to Europe ?—Very little of any consequence. Some whisky goes to Europe, but not a very large quantity.

153a. Did you reside at Prescott at the time of the passage of the Scott Act ?—Yes.

154a. Was the majority for or against the Act there ?—Against the Act.

155a. Was it well observed in Prescott ?—Well, we did not consider it a success. The whisky trade was thrown into unreliable hands. There were more shebeens and places selling on the sly during the time of the Scott Act than there has been since.

156a. Do you think there was as much liquor consumed ?—I think there was quite as much. We did not find our trade to fall off any during the time of the Scott Act.

157a. Was there as much drunkenness apparent in the community as before ?—I think there was more. As people could only get whisky on the sly, they sent away and got it in quantities that they could not take care of. People got a bottle of whisky who perhaps would have been satisfied with a glass.

158a. Did Prescott give a majority for the repeal ?—Yes.

159a. How do you find the license law in Prescott ?—I think it is much better. Everything goes along in a much more respectable way under the license Act, than it did under the Scott Act. The Scott Act seemed to bring about quiet drinking and drinking among young men, who would get a bottle of whisky and go off and get drunk on it. There is not so much of that now.

160a. Have you had any experience of the working of prohibition besides the Scott Act?—No.

161a. From your experience, do you consider it as a whole to have been beneficial or otherwise?—I do not think it was beneficial. I think everything is much better as regards temperance and morality under the present license system. That is my observation.

By Mr. Clarke :

162a. Your sales did not fall off in the Scott Act period?—No. Contrary to our expectations, they did not fall off. In anticipation of the Scott Act our sales increased to a very large extent. Some of our customers laid in a stock in advance, and a great many people who had never kept liquor in their houses and who did not want to be seen going to the places where they could get it, did the same thing. In fact, there were only one or two places where you could buy it. We accounted for our increased trade in 1884 and 1885 in that way—by dealers and private families laying in stocks of whisky in anticipation of the passage of the Act. We could not account for it in any other way.

163a. As a matter of fact, your trade did not fall off during the Scott Act period?—No.

164a. Will your books show that?—They will show that—throughout the county.

165a. Was it felt that the liquors would be liable to seizure?—I don't know as to that. I know that quite a number of customers inquired on what terms they could buy large quantities of liquor in anticipation of the passage of the Act.

166a. Did you travel through the county much?—Yes, a great deal in the year before it was adopted—more than I have done since. People naturally appealed to me as to how the Act was going to work, and in that way I got information from people who laid in large quantities. I myself filled orders for a large number in different kinds of liquors.

167a. Did the people who had licenses prior to the Scott Act continue to sell?—I think a large number of them did. But there is no doubt the trade went immediately into the hands of a different class of people. People took up the selling of whisky who had not sold before, and it was sold in smaller quantities. There was a great deal sold in small packages; we found it a great nuisance. The ten-gallon keg came into fashion then, and it did great work. It was a size that could be handled easily in a buggy and which could be easily concealed.

168a. You say that the trade fell into more disreputable hands?—It did. We had to insist, and did insist, on payment in advance from those people.

169a. You could not trust them?—We did not think it best to do so. Of course, they were engaged in a trade in which they were liable to lose their all if detected, and we insisted on the money accompanying the order.

170a. You had experience of the working of the Scott Act in Prescott?—I had the ordinary experience of the loss of revenue by the town. We had been in the habit of receiving about \$2,000 a year from the licenses issued there, and as I had been in the Council for a number of years and served on the finance committee, I saw that the town would be put about some by the loss of this revenue. But we did not find it the inconvenience we expected, because our Police Court fines made that revenue up pretty well.

171a. Fines for drunkenness?—Fines for infraction of the law and other offences. I have a list of the receipts from the police court which I obtained from the Treasurer; they were as follows:—in 1884, \$92.60; in 1885, \$308; in 1886, \$263; in 1887, \$926; in 1888, \$2,126; in 1889, \$131; 1890, \$128; and in 1891, \$97.

172a. Which of those years were Scott Act years?—From 1886 to 1889. The Act came into force in May, 1886. It passed in 1884, but too late to take effect in the following May.

173a. In one year there were fines for drunkenness of \$2,100?—Not all for drunkenness. I did not go into that part of the matter.

174a. Was there any difficulty in procuring liquor in Prescott during the time the Act was in force?—No, I never found anybody that had any hard work to get what they wanted in some way, even when they went away from home to get it.

ALBERT WHITNEY.

JOHN P. WISER, of Prescott, distiller, on being duly sworn, deposed as follows :—

By Judge McDonald :

175a. You reside in Prescott ?—Yes.

176a. And carry on the business of rectifier and distiller of spirits ?—Yes.

177a. How long have you carried on that business ?—Since October, 1857.

178a. Continuously to the present time ?—Yes.

179a. You resided in Prescott during the time the Scott Act was in force there ?—
Yes.

180a. And carried on your business during that time ?—Yes.

181a. Is there any statement you wish to make with regard to it ?—All I have to say is that we never were in the habit of selling liquors in small quantities until that Act came into force. We were allowed to sell in ten gallon packages, and the result was that people who had never before bought liquor to take to their houses did so then, and that increased so much that I had to put three coopers on to make kegs to supply the the ten gallon trade.

182a. Was that for sale for private use ?—Private use chiefly.

183a. How do you form that opinion ?—From farmers buying it and taking it away in their wagons. I do not know what they did with it, but that was the presumption.

184a. In addition to the capital you have invested in the business in the first instance, have Government regulations and new statutes required you to expend more money since ?—Oh, yes, far more, until now a very large amount of capital is required to enable us to hold the spirits for two years before putting it on the market. Before that law passed our stock was down to 150,000 or 160,000 gallons. Now we carry 1,300,000 gallons. That is the difference.

By Mr. Clarke :

185a. During the Scott Act periods did your sales increase or decrease ?—They increased largely until the last year. People got liquor to tide over that time, and when it got to be the general opinion that the Act would be repealed in the latter part of that year, the sale fell off while people were waiting to know what would be done, and after that they increased again, and since then the business has been about normal.

186a. Was there any immediate increase after the repeal of the Act ?—Yes, in the first year, owing to the fact that people had been waiting to see what would be done.

187a. Practically your sales during the Scott Act period equalled those of any three years before or since ?—I think they were more. I think in the first year of the Act our sales increased 40,000 gallons.

188a. You attribute that to the supposition that people bought the liquors for home consumption ?—That is the only way I can account for it.

189a. Have you any knowledge as to whether the sales for beer increased or decreased during the Scott Act period ?—I do not know of my own knowledge.

JOSEPH DEACON, Q. C., of Brockville, barrister-at-law, on being duly sworn, deposed as follows:—

By Judge McDonald:

190a. You reside in Brockville?—Yes.

191a. How long have you resided here?—Thirty-three years.

192a. You are, I believe, a barrister-at-law and a Queen's Counsel?—Yes.

193a. And Police Magistrate of Brockville?—Yes.

194a. How long have you been Police Magistrate?—About twenty-two years.

195a. You have been so before the Scott Act was in force, while it was in force, and since, continuously?—Yes.

196a. The cases of drunkenness and disorderly conduct brought by the police are tried before you?—Yes, exclusively.

197a. Did you find during the time the Scott Act was in operation that there was a diminution in the cases of drunkenness?—Drunkenness decreased very much in the town, and the fines for the breach of the Scott Act were numerous and very large.

198a. Was the revenue from the court larger during the period the Scott Act was in force than before?—Much larger than before or since, and far in excess of anything that the municipality could get out of the licenses.

199a. How was that?—So many people committed violations of the law and were fined.

200a. Did you find, speaking both officially and as a citizen, that when the law first came into force it was fairly well observed?—For a short time it seemed as if they were going to obey the law, and then it was discovered that they were not obeying it. The law was steadily being enforced, and after a while it fell into a kind of routine form; men were up continuously and at pretty regular intervals, and they were usually charged as for a first offence, seldom otherwise.

201a. By whom were informations laid?—By the License Inspector, an officer appointed by the Ontario Government.

202a. Was that Mr. Phillips?—I think it was.

203a. And then there was Mr. Chapman for Grenville, or did he come to you?—He did not come to me.

204a. There was, we understand, a Police Magistrate appointed for the county?—Yes, after a while, Mr. Judd.

205a. And you tried town cases?—Yes, and county cases until he was appointed.

206a. The information would be laid before you by Mr. Phillips, and then what officers would be employed?—The town police to serve the papers. The fines, according to statute, were paid in to the Treasurer of the town of Brockville.

207a. I believe the first fines were paid to the County Treasurer, before the change in the Order in Council?—Yes.

208a. What sum was paid over to the County Treasurer?—\$1,500 of which \$750 was for town offences.

209a. For what period?—A few months between one Order in Council and the other.

210a. Who prosecuted?—The License Inspector.

211a. Had he counsel employed?—Yes. There was some sort of local association that employed the counsel, and paid him. The Inspector was the plaintiff in ordinary cases.

212a. You have spoken of people being fined over and over again. Were the charges generally laid as first offences against the same individual?—Yes.

213a. You had to receive these as they were laid before you?—Oh, certainly. I felt, under the decisions of the courts, that I could not even make a suggestion about them.

214a. Were there many people charged with selling in the same premises at different times?—Sometimes a man was put forward who assumed to be the defendant.

215a. Will you please explain what the system was?—For example, the proprietor of the Revere House would be fined two or three times, and perhaps thinking it was too often, somebody else would step forward and say he was the man that sold the liquor.

JOSEPH DEACON, Q. C.

216a. Was any investigation held to ascertain whether that statement was genuine or not?—When a man comes forward and says he is guilty of a crime before the court and he is charged with it, what investigation could you make?

217a. Suppose the Inspector charges the proprietor of a certain hotel with having sold liquor, and he has already been convicted two or three times, and another man comes and says he is guilty, how is the charge against the proprietor got rid of?—For instance, we will suppose a case against John Bell. When it is called, a man rises in the audience and says he wants to plead guilty of that charge—that he is the man. He is asked by the prosecution if he wants his name substituted for that of the other man, and he says he does. Then the name of the other man is scored out, and the name of the new man put in its place, and he pleads guilty and pays his fine and the costs.

218a. And it is done with the consent of the prosecution?—Oh, certainly.

219a. And you consider you have no option in the matter?—No. If the most decent man in town comes and pleads guilty to the charge in the Police Court, what can you do but convict him.

220a. But he is not charged before you?—But he asks the prosecution to charge him.

221a. Then it is by arrangement with the prosecution that the change in the charge is made?—I have no doubt about that.

222a. You simply accepted what both parties represented to you was the case?—Yes, just the same as a Judge in the Division Court.

223a. Would there be a repetition of that, suppose the man came up again?—Yes. If he had any sons, they would be put in one by one, or some friend would go in that way.

224a. Then you had not many cases of conviction of second offences?—Very few.

225a. Have you had any of third offences?—I do not know that we may have had one.

226a. As a jurist and a barrister, what do you think the effect of that would be on the community as to the observance of that law?—I think it practically resolved itself into a license law; but it practically was not a well-governed license law, because it was irregular and spasmodic. You could not calculate on it with certainty, because you would not know what might happen, and therefore in that respect it differed from a license law.

227a. Was the effect such that the community was not getting the benefit which they expected from the law?—Well, I think the law was better enforced in the town of Brockville than in any other town or municipality in the Province of Ontario.

228a. The law provides for the first offence a fine of \$50, for the second a fine of \$100, and for the third imprisonment, the intention being that the penalty should be increased with each repetition of the offence. Did the people of Brockville get the benefit of these provisions?—If there was any benefit in them, they did not get that.

229a. Can you explain why they did not?—Yes, because it is so difficult to enforce them. This is the way. I suppose, that it would be explained. The Inspector is a Government officer, appointed by the Local Government, and no Government wish things done that will bring the Government into a state of disrepute or hurt its popularity. I think that any Government that enforced the Scott Act to the letter all over the Province of Ontario would not be able to hold their position after a while. The whole liquor interest would turn against them, and a lot of loose fish among the electorate would go with them and sweep the Government from power.

230a. Then do you consider that the mode in which you enforced the Scott Act here was satisfactory to the people engaged in the liquor traffic?—I think it was as far accommodated to their wishes as the law would allow, and at the same time have a reasonable appearance of being enforced.

231a. There would be a large number of convictions and a large sum of money in some way or other put into the treasury?—Yes. I think I paid \$10,000 in the three years to the town of Brockville alone. At the same time, I think it is almost impossible for men to enforce the Scott Act thoroughly and to the letter, if they do not keep men away almost by gun shot from drinking saloons and taverns and hotels and everything of that kind.

232a. Why?—You could not, it seems to me, be at all on friendly terms with them if the law were enforced to the letter.

233a. You mean to say there would be ill feeling created between those engaged in the traffic and those who drink and those who attempted to enforce the law?—Yes, and the Inspector would, I think, lead a dangerous life. He could not get a mouthful at a hotel if he wanted it, and he could not use liquor. I myself do not use liquor.

234a. Do you favour prohibition as a principle?—I would favour prohibition as a principle, but I cannot see my way to favouring it as a law that should be now given to the people.

235a. Why?—The difficulty of enforcing it, and the difficulty of any Government or ruling body of men holding their places if it is enforced. If a Government should pass a prohibitory law, I think any reasonable opposition in Parliament ought to be able, with the assistance of the liquor interest and their friends, to put the Government in a minority with the electorate. Though I think prohibition is a true principle, I do not see that, in the present constitution of society, it could be enforced at all.

236a. In case of the enactment of a law preventing the importation, manufacture and sale of intoxicating liquors for beverage purposes, would you deem it right that brewers and distillers should be remunerated for their plant and machinery that would be rendered useless?—I hardly know what to say as to that. These men being engaged in a business that is not a good business, I would not feel like asking the respectable people in the community who pay taxes to pay these men their loss. It is just possible that, on a representation of the matter to the people, they would favour even that, because it does seem hard that they should lose when they are working under the law.

237a. How do you account for the Scott Act being repealed by the people?—I think the people got largely disgusted with it, and the old opposition were on hand, and with their ranks increased by deserters from the other side who said they were disgusted with the Act because it was not being enforced.

By Mr. Clarke :

238a. But you say it was better enforced in Brockville than in any other town in the Province?—I think so.

239a. And yet the people of Brockville became disgusted with it?—I think they did.

240a. Then you mean to say it was only relatively enforced here?—Only relatively.

By Judge McDonald :

241a. You say as a matter of principle you favour the enactment of a prohibitory law, but you fear the possibility of enforcing it. Have you considered how, in case of the enactment of such a law, the revenue now derived from the traffic, amounting to between six and seven millions of dollars for the Dominion and a large amount to the Provinces and the municipalities, would be made up?—I think that at first, by the introduction of a prohibitory liquor law, the revenue would suffer, but I do think that if the people were to maintain that law and stop the manufacture and use of intoxicants, the people would become much better off. Poverty would not be seen in our streets so often, and a great many people who are kept idle and in jail would be engaged in work. This making of liquor, and appointing one man to sell it and another to drink it, and then sending him to jail, involves a great waste of time in the community. In our town there are some twenty families living on the sale of it, and I have no doubt twenty families suffering by the sale of it, and a great many men kept idle and rendered less useful for producing and earning—farmers' sons coming in and losing their time around hotels and wasting their earnings in drink. If all that could be removed—but the "if" is about it all the time.

242a. How are you going to make up the revenue?—For instance, a man who is going in rags would work and get clothing, and he would pay duty on the fabric.

243a. It is in that way you would hope to make it up?—In a variety of ways. That is only one of the ways.

JOSEPH DEACON, Q. C.

244a. Col. Cole has suggested an income tax, or direct taxation?—I do not believe people will stand an income tax at all. They would pitch out every Government one after another that attempted to collect it.

245a. So you think the loss of revenue would be made up by increased prosperity?—If at all, if the Act were observed: but I think it would take a vast number of officers to try to enforce the law, and it would be very expensive at first.

246a. By whom would you have the enforcing officers appointed, by the Dominion or Provincial Governments?—I think by the municipalities. I think there would be less party in it.

247a. Then, if appointed by the municipalities, you would have them paid by the municipalities?—Yes.

248a. How would their salaries be raised?—That would be by direct taxation.

By Mr. Clarke:

249a. We have heard this morning of the educating influence of the Scott Act; what kind of an educator was it to the young men of Brockville?—I suppose it taught them what they learned from it.

250a. What do you think they learned from it—those who were not total abstainers, for instance?—They learned from it that there was a great desire on the part of people to drink liquor and break that law, and that that law was not being carried out the way it read.

251a. What would be the moral effect on the young men and the community generally of such a state of things as that? Here was a law more honoured in the breach than in the observance, people going in a sly way to get liquor?—I do not think it educated or improved their moral feelings as to what was right. They must have witnessed in the Police Court streams of perjury the whole time men swearing, for example, that they did not know the taste of the stuff they drank, just telling lies, constant perjury. I do not think there was a case, unless the defendant pleaded guilty, that would not be more or less flavoured with perjury.

252a. As between the Scott Act and the license law, as it is now observed, which would you prefer in the interests of morality and temperance?—I think if people will insist on having liquor, whether it is good for them or not, a well regulated license law is better, decidedly.

253a. And that is your opinion after having had an opportunity of witnessing the operation of the Scott Act and endeavouring to enforce it?—I was Police Magistrate under what is called the Dunkin Act, previous to this Act. It was just another phase of the Scott Act, although not so large in its prohibition. It would cover a smaller territory, for instance, a township, and the same arguments were brought against it on a small scale that have been brought against the Scott Act. But I do not think either Act was useful. Still, I think as a whole drunkenness is decreasing in the country.

254a. Do you attribute the decrease in drunkenness in the Province and in the Dominion, and throughout the whole civilized world, to the enactment of measures such as the Scott Act?—In this way it may have an effect, showing that Parliaments are taking notice of drunkenness and limiting it with a license law; men making speeches in Parliament against it; the pulpits of the land thundering out against it; and all respectable newspapers giving no countenance to it, all these things are tending to make drinking a disgraceful and shameful thing. It is now very hard even for a man to take what is called a respectable drink. It is looked on as hardly respectable to go up to a bar and drink. I remember when in this town it was quite common, not *infra dig* at all, to go into a bar and take a drink, but you do not find that now. I think that during the currency of the Scott Act—I voted for it and wished to see it enforced—drunkenness decreased materially in the town. But it is marvellous the mischief that was done by people who previously had nothing to do with selling liquor, creeping about and hiding in stables and out-of-the-way places, drinking and dispensing it. The very fact that a ban was put upon it seemed to give them a desire to be tinkering with it. In that way I think it got kind of spread out more. The convictions and prosecutions for drunkenness were much fewer during the Scott Act, but the convictions for the breach of the law were very great.

255a. You say you voted for the Scott Act. Did you vote on the question of repeal?—I voted not to repeal it, just in this way: I thought we had now got through three years of famine, and perhaps we would come to years of plenty; that the people in the business would perhaps be driven out of it, that we would beggar some of these fellows who were selling, even with the \$50 fine. But they stood it bravely for three years. And as I had voted for it before, I was in favour of keeping the shot and shell on them to see if they would stop. But there was a great change in the people who voted the other way.

256a. As they were not satisfied with it, they voted to repeal it?—Yes. I would not say they were wrong.

257a. I understood you to say that between it and the present license law, you would prefer the present law?—I think it is better. If things were to continue under the Scott Act as they went during the three years that it was in force, and not improve, that is to say, if people could not be driven from breaking it, it would be better to have the license law, and then to group together the fellows who are selling, and employ detectives to see that no one sells without a license.

258a. Could you suggest to the Commission any amendments to the Scott Act that you think would make it more workable?—I do not think I could suggest any changes with which I would care to have the Scott Act re-enacted.

259a. As between the saloon license and the tavern or hotel license, which is the more injurious to the community?—I think, of course, the saloon license, because it is for no other purpose than to give drink.

260a. If you were recommending the Government to abolish one or the other, which would you recommend them to abolish?—If they were to abolish any, abolish the saloons, because it is only a drinking shop, and licensing it is giving it a cover of respectability which, as a purely drinking shop, it does not possess.

261a. Some of our friends seem to think it would be better to abolish the hotel license, because they say that young men go to hotels ostensibly to see friends, but in reality to get liquor, whereas in the saloon, which is a drinking shop pure and simple, they have not the same opportunity?—I think there is a great mistake in that, because a great many very respectable people, who do not indulge in liquor, go to hotels; ministers of the gospel and many men with their wives and children stop there; and the eyes of these people are upon one at the hotel to deter one from going to the bar, whereas one can slip into the saloon and out again without being seen, and while there he is sure to find others who, like himself, are only there to drink. I think there is a better check at the hotel than at the saloon.

262a. Would it promote temperance to render the traffic as disreputable as possible?—I think to make drunkenness as disreputable as you can has a good effect.

263a. Could it be well to put the licenses into the hands of disreputable men, who would make the trade as disreputable as possible?—A man who takes out a license to sell liquor is in my judgment disreputable enough, and I would not seek the worst of that class. I would seek the best, because the legislation of the country is against them, at any rate. They cannot be in the Council or on the School Board, they are never thought of as trustees in churches, nor would they be allowed to be school teachers. The legislation of the country is pointing the finger of scorn at them, and I do not think there is any necessity of making their business any more disreputable.

By Judge McDonald:

264a. Speaking as a jurist, what is the effect on the public conscience as to law generally, of having a law on the statute book that is violated in the way you have said the Scott Act was?—I think such a law is better off the statute book.

265a. Does it tend to bring other law into contempt in the minds of the people who see it?—I think it has that tendency; and where there is a great deal of perjury in connection with the enforcement of a law, it will of necessity be the case in connection with the enforcement of other laws.

By Mr. Clarke:

266a. There was a great deal of perjury in the prosecutions for violation of the Scott Act?—Oh, yes.

267a. More than in other cases?—Oh, yes, I think so.

JOSEPH DEACON, Q. C.

ROBERT R. PHILLIPS, of the Township of Yonge, License Inspector, on being duly sworn, deposed as follows :—

By Judge McDonald :

268a. You are the Inspector of Licenses for this district?—Yes.

269a. Appointed by the Ontario Government?—Yes.

270a. How long have you held office?—Nearly eight years.

271a. Where do you reside?—In the Township of Yonge, in the County of Leeds.

272a. You were Inspector before the Scott Act came into force, while it was in force, and have been since?—Yes.

273a. Mr. Deacon has told us that so far as the town of Brockville is concerned, you were the prosecutor in the Scott Act cases brought before him?—Yes.

274a. I suppose, not residing in the town, you had to receive your instructions from other sources?—Yes, there was a Scott Act organization that generally furnished me with the information and the witnesses. I laid the information, and they asked the privilege to secure counsel for the prosecution in the town of Brockville.

275a. There was no secrecy of their being such an association?—No.

276a. Who was the chairman of it?—The Rev. S. D. Chown.

277a. Do you know who was the local chairman here?—No, I do not.

278a. Col. Cole has told us that the information used to be sent to him by some local committee?—Yes.

279a. So that you obtained it sometimes from him and sometimes from the people themselves?—I think I obtained it for the town from Col. Cole himself, and for the county from Rev. Mr. Chown.

280a. Then, in the town cases, you would go to Mr. Deacon and lay the information?—Yes.

281a. How did you proceed for the county?—I went to Mr. Deacon until Mr. J. C. Judd was appointed, and after that he took the county cases.

282a. You heard Mr. Deacon's testimony?—Yes.

283a. He told us that after informations had been laid once or twice against the same man for selling, it was a common thing, when that man was summoned again, for some person to come into court and ask to take his place?—All that was mostly done through a lease. They would present a lease from the men covering the time at which the offence was charged. We accepted that as a first offence, if they were willing to plead guilty and pay the fine.

284a. Then, if you prosecuted that man a month afterwards, would a different person appear with another lease?—Yes.

285a. For the same premises?—Yes.

286a. How often would a man be represented in this way in the course of a year?—Possibly eight or nine or ten times.

287a. That is, there would be during the year eight or nine different leases for the one man's bar?—There would. Sometimes I had the complaint against the same party, and held it as a first, and held it the next time as a first. That would be in my own discretion. I did it under the pressure of public opinion.

288a. What do you mean by that?—I found there were men of position, good men, though possibly not out-and-out temperance men, who would bring pressure and say, "It is too bad; I would not be so vindictive;" and in fact, when the cases came before the Police Court, I found that the men who had been backing me would not give me their support. So I thought I would be better representing public opinion not to be too severe; whenever I was active, it would be vindictive on my part to be so extreme.

289a. The object of the Act is to do away with the sale of liquor?—Yes.

290a. This system of constant interchanging of leases and \$50 fine is simply an indirect mode of licensing?—Yes, it would be that.

291a. So that what the Act was intended to obtain was not obtained by the people?—No, it was very difficult to obtain it.

292a. I understand that in some cases where you did accept the lease and went on to prove the sale, you could not prove the sale?—Yes.

293a. Have you reason to think there was perjury?—I have reason to believe there was perjury. Men did not seem to respect their oath in liquor matters as they did in other cases.

294a. Did you find that men would give different testimony in Scott Act cases from what they would in civil or other cases?—Yes, and they were very forgetful. They did not know what they had got, whether liquor or not.

295a. Mr. Deacon says he thinks the Scott Act was better enforced in Brockville than in any other town in the Province. What is your opinion as to that?—I could only judge from reports. We got reports from other municipalities where the Act was in force, and we generally headed the list.

296a. How about the counties?—In the counties it was the same. I would lay about 300 informations in the year in the county.

By Mr. Clarke :

297a. Did you get the information that enabled you to lay these charges largely through the Scott Act organization?—Yes, largely.

By Judge McDonald :

298a. The direct license fees to the municipality ceased when the Scott Act came into force?—Yes.

299a. And yet there would be a revenue?—Yes.

300a. How was that procured?—The Commissioners met at the beginning of the year and made an estimate of what would be required to pay the Inspectors and the expenses necessary, and the County Council was asked to contribute so much and the Town Council so much, and the Government paid a certain proportion. If at the end of the year there was a balance remaining to the credit of the Inspector, it was divided proportionately as it was put in; and if it was not sufficient, they would make a second estimate.

301a. Then the Scott Act fines for Brockville were paid to the Town Treasurer, and these for the districts of Leeds and Grenville to the County Treasurer?—Yes.

302a. Did the amount of the fines they received from Scott Act cases largely exceed the sums of money you required for expenses?—Oh, yes, the fines were greatly in excess of what was needed for expenses.

303a. And the Dominion Government had appropriated the fines for the purposes of the Scott Act?—Yes.

304a. And that fund provided a much larger amount than the Council had to pay?—I do not know that the town of Brockville received more than they received under the license law. The town received \$3,307 last year.

305a. Were you yourself a supporter of the Scott Act?—I was.

306a. In a desire to advance the cause of temperance?—Yes.

307a. What was the result?—The result was not what I expected, and still I think the agitation, while the Scott Act was passing, was an educator; but the workings of it I do not think were.

By Mr. Clarke :

308a. What kind of an educator was the Act itself?—I think the Act itself was not an educator. I think it was an evil in some cases. Young boys imagined it was very cunning to get hold of a bottle of whisky, and we found it scattered about in places where we do not find it now, and we found men drinking whom we do not find drinking now. My experience is that we are working towards prohibition. I find that drinking is not as respectable.

By Judge McDonald :

309a. Do you mean prohibition as a law, or how?—As a principle; and the people are getting better prepared to observe a law of that kind.

ROBERT R. PHILLIPS.

310a. Do you not find an increase of temperance sentiment in the last ten years ?
—I do.

311a. Do you think the churches and the temperance societies and the schools are assisting that tendency ?—I do. They are helping it continually.

312a. Did you find that the coming into force of the Scott Act led to the temperance societies lying on their oars, thinking it was going to do the work ?—It did. We had not the same energy or vigilance in that direction. They thought the work had been completed.

313a. Do you not find a great deal less drunkenness in the community than there used to be ?—Much less.

314a. In the township of Yonge, where you live, you had the Dunkin Act in force before the Scott Act ?—We had, and we have not had a license since.

315a. You have not had a license for twenty years ?—No, and you could not get a license issued : the majority would be against it.

316a. The people as a rule are sober ?—Yes. We have a man occasionally who would get liquor if he had to leave the country to get it. But the younger people as a rule are sober.

317a. Do you think a prohibitory law could be enforced in these counties in the present state of public opinion ?—I think not. I think in the near future it might. With the march of temperance it appears to me we would be able to observe a law of that kind : it would be respected. At the time the Scott Act was passed it was a dead letter. It was something like the law for cutting weeds on the roadside : it was a law that nobody would prosecute people for breaking.

318a. You found that there seemed to be a disposition on the part of respectable people to cover up offences against that law who would not do the same with respect to other laws ?—Just so. I had cases where I had to enforce the penalties by sending the parties to jail, and even after they went to jail they were released. People thought it was a hardship. Then, I found that after the fines were imposed, several thousands of dollars, that could have been collected, the counties remitted, and said "We won't enter them."

By Mr. Clarke :

319a. It was your experience that sober people who were not disposed to go into hotels, seemed to set the Scott Act at defiance, and break it ?—Their sympathies seemed to be that way. I do not say the people themselves were violators of the law.

320a. How did those people vote ?—I think they voted for the Scott Act. I found that when I lost a case I had not the sympathy of the people ; they said, "It was good enough for you." Then all my witnesses were adverse witnesses ; they all favoured the liquor man in every instance.

321a. Do you find that the same thing exists now in the prosecution of men for selling without license ?—Yes, but not to the same extent. They say, "These men know the law, and it should be observed ; you did right to prosecute them."

322a. What was the state of the town at the end of the Scott Act period ?—It was considerably demoralized, and there was a good deal of dissatisfaction and hard feeling about the enforcement of the law.

323a. What is the feeling now ?—They seem to be fairly well pleased. I do not hear any complaints, either from the people or the Government, of the way the law is enforced.

324a. Is it your opinion that there is a better state of things in the town and county than there was during the Scott Act period ?—I have no hesitation in saying that. The liquor traffic is better controlled, and there is less drunkenness now than under the Scott Act.

325a. I suppose your experience was that many disreputable people were selling during the Scott Act period ?—Yes, many of them.

326a. What about the quality of what they sold ?—I have known parties fined for selling methylated spirits ; they even went to jail for three months for selling it.

327a. Having come through the Scott Act period, and having been Inspector under the license law of the Province, which do you prefer in the interest of temperance and

morality in the community?—I think that the people I come in contact with observe the license law better than they would prohibition, and I think it is better. As to a vote for temperance or license, I would want to vote for temperance. I think liquor is the great curse that we want to get rid of; but we got better control of it by a license law. Whether we would be able to have a proper system of public houses, without liquor, I do not know. The profits seem to be in the bar, and I doubt if it could be done. I cannot see my way clear to anything better than a proper license system properly enforced.

328a. Some people think the hotel bar is a greater source of evil than the saloon? My opinion is that there is no argument for a saloon license at all. I think the saloon license should be abolished altogether. I think the hotel license is sufficient.

329a. Regarding the Scott Act itself, can you suggest any amendments which would make it more workable? Having had three years' experience in enforcing it, do you think, if you re-enacted it now, that you could do better with it than before?—No, I do not think you could. I have heard the suggestion made to appoint so many officers and let them have all the fines for enforcing it. A man to undertake that, would be in danger. I got a number of threatening letters, and we had dynamite and everything to contend with, and I am afraid that would create bad feeling.

330a. There is a better feeling in the community now?—There is. I have known people who used to be very good friends and neighbours who got into hard feelings on account of this matter.

By Judge McDonald:

331a. In case an Act was passed prohibiting the importation, manufacture and sale of intoxicating liquors, would you consider it proper that remuneration should be made to brewers and distillers for their plant and machinery that would be rendered useless?—I think they should. You might say that these men took their chances in going into that business, but really they went into it under law, and they made preparations to meet the requirements of the law, and it seems hard that they should suffer without remuneration.

By Mr. Clarke:

332a. Would it be an improvement to take away from people in Scott Act counties the right they have now of securing liquor for domestic use?—If it could be kept away, it would be better as a whole. If that could be prevented, I do not suppose vendors would supply so much as seemed to be required.

333a. There seemed to be a great deal sold for medicinal purposes?—Yes, it was ridiculous.

334a. Is there as much brought in now for domestic consumption as there was during the Scott Act period?—No, I do not see that now. During the Scott Act period there would be, for instance, four or five kegs to come off the train at the station of Mallorytown, while you might now be there for a week and you would not see one. That is now all gone. I file a statement of the receipts and expenditure on account of the License Fund, for the District of Brockville and Leeds, for the license year ending the 30th day of April, 1893, showing the total receipts for the year to be \$11,948.75, and the Inspector's salary and other expenses to amount to \$825.40

ROBERT R. PHILLIPS.

GEORGE A. RUDD, of Brockville, harness maker, on being duly sworn, deposed as follows :—

By Judge McDonald :

335a. You reside in Brockville ?—Yes.

336a. How long have you resided here ?—Thirteen years.

337a. You are engaged in the saddlery and harness business ?—Yes.

338a. You lived here before the Scott Act came into force and afterwards ?—Yes.

339a. Were you a supporter of the Act ?—I was.

340a. Are you in favour of prohibitory legislation ?—I am.

341a. Did you as a citizen and temperance man take a warm interest in the success of the Scott Act ?—Well, I knew what was going on. I did not take as much part in it as some others.

342a. And you were desirous that it should be a success ?—Yes.

343a. Perhaps you would tell us what your experience was of the working of the Act as to its advantages or disadvantages, if any ?—I think the Scott Act is a good thing if it were enforced, and the non-enforcement of it lies with the officials, and you can trace that back to the Government, I suppose. But my impression of the working of the Scott Act here was that they fined them just as often as they thought they had the fifty dollars ; when they had not the fifty dollars they did not fine them ; that was just about it.

344a. You heard the evidence given here by the Police Magistrate and the Inspector as to their not having second and third convictions ?—I did.

345a. Did you notice anything of that kind yourself when the prosecutions were going on ?—I noticed that the cases were delayed—sometimes the dates changed and cases brought on out of their dates, so that a case that was good at the time was no good at the time it came on.

346a. Why was that done ?—I don't know.

347a. Did you ever take any steps to inquire into it ?—No.

348a. Did you ever yourself personally take any steps with regard to the enforcement of the Act, by giving information to the officers or otherwise ?—No, I never spoke to the officers except once. I happened to be in Mr. Deacon's office when Mr. Phillips came in. He said that such and such a case was no good. I happened to know something about that case, and I asked him "What about that?" He said, "It is no good." I said, "If you had left the dates as they were, it would have been good, but you moved the dates on, and the man in the meantime had quit selling."

349a. Do you remember cases in which a man would get up in the court and say that he had leased the place, and plead guilty ?—I do.

350a. Would you favour the passage of an Act prohibiting the importation, manufacture and sale of intoxicating liquors in the Dominion for beverage purposes ?—I would.

351a. Do you think such an Act could be successfully enforced ?—If the Government will take it in hand and the people will back them up, I do not see why it should not be.

352a. You speak of the people backing them up. How did you find that in the case of the Scott Act ?—With the temperance people, it took a little money out of their pocket, and something out of their business, whereas the hotel men who are violating the law are working for their pocket. It is a different fight altogether.

353a. What officers do you think would enforce the law—those of the Dominion Government, those of the Provincial Government, or those of the municipality ?—I do not know. The municipality, I think, could enforce it as well.

354a. Would you in such a law provide for the admission or the manufacture of liquor for sacramental, mechanical and medicinal purposes ?—I suppose that would have to be done. There are churches in our land that believe in that sort of thing, and I would not deprive them of it.

355a. For all those purposes you would permit persons who desired, to manufacture or import them ?—The Government should control the manufacture of whatever is used.

356a. Would you favour the enactment of a law that would prevent people from importing liquors to use in their own houses?—So far as I am personally concerned, I do not need it at all; I never use it.

357a. But so far as the community as a whole are concerned, would you permit them to import it for their own personal use?—They would be better without it, in my judgment.

358a. The question is, whether you would favour legislation that would prevent them bringing it in for their own use, if they wished to do so?—I would rather coax a man to quit it, than force him.

359a. Suppose such a law were passed, prohibiting the importation, manufacture or sale, would you favour remuneration being made to brewers and distillers for their plant and machinery which would be rendered useless?—I would not, on the ground that I think that the widows and orphans of our country have suffered, and it is they who want the rebate.

By Rev. Dr. McLeod :

360a. I understand you to say that the non-enforcement of the Canada Temperance Act, was due to the officials. Just how much do you mean by that?—As I stated, the cases were not brought on fast enough, only, seemingly, when they thought the liquor sellers had their fine. It looked that way.

361a. They were considering, then, the position of the violators of the law?—One of them happened in the shop this morning, and he mentioned that the lawyer got five dollars if he lost, every time.

362a. Are we to understand, from what you say, that the officials, instead of faithfully and steadily enforcing the law, considered the position of the violators, and only enforced it when it was convenient for them to pay a fine?—I think so. I think the Scott Act could have been a success in our county.

363a. How does the license law work?—I do not know, as the effect is much different from what it was under the Scott Act. I do not see much difference. There were drunken men then, and liquor was sold.

364a. Do you think the sale of liquor is more general now than it was under the Scott Act?—I do not know as to that. I suppose the statistics would show.

365a. Are there more signs or indications of the sale of liquor now than there were under the Scott Act?—I think there are. After the Scott Act went out, it seemed to me that there were more drunken men on the streets than before.

366a. Do you know whether there are unlicensed sellers in Brockville now?—Not that I know of.

By Mr. Clarke :

367a. Do you say that you do not see much difference between present conditions under the license law and the conditions that existed under the Scott Act?—No, because the Scott Act was not enforced.

368a. Did you hear the testimony of the Police Magistrate this morning?—I cannot account for what he thinks. I am just giving my own opinion from what I see.

369a. The Magistrate said the law was better enforced in Brockville than in any other town in the Province?—There were more fines in our county than in any other, and yet the law was not enforced.

370a. Were you present when the License Inspector gave his evidence?—I was. The number of fines imposed, shows that it was not enforced; it showed that they did not stop the sale.

371a. How do you account for the Act being repealed?—The non-enforcement of it caused the repeal, I suppose.

372a. The people preferred license to the Scott Act, not enforced as it should be?—Yes. This liquor traffic is the cause of more trouble than anything else to men running factories.

By Rev. Dr. McLeod :

373a. How many men do you employ?—Fourteen or fifteen.

GEORGE A. RUDD.

374a. Do you find that the drink traffic and habit interfere with the usefulness of these men?—They are of no use at all when under the influence of liquor.

375a. Do you find this true also in the case of those who drink more moderately?—There are men who drink with moderation and work as well as others who do not drink at all. I have found it to interfere also, by men bringing it on the premises; but if I found a man doing that once, he had to go.

376a. As an employer of labour, you think the prohibition of the drink traffic would benefit employees as well as employers?—I think it would.

377a. Can you form an estimate of what a man who has the drink habit loses by the month?—They lose everything except the little that they give to their families.

378a. Take a man who has the drink habit—how many days in the month would he lose from work on account of it?—They vary in that. Some of them lose half their time. I had one man who was all right as long as he had his job; when he had not a job, he would be drunk all the time.

379a. You could not give an average?—No, they vary so much.

380a. But they do lose time?—Yes.

By Mr. Clarke:

381a. Did you make representations to the authorities regarding the non-enforcement of the Act by the officials?—I do not think so.

382a. Were any representations made to the License Commissioners that the Inspector was not doing his duty?—I do not know that there were any complaints by any authority.

383a. Were any meetings held to protest against the non enforcement of the Act?—Not that I know of.

384a. There was a Scott Act association formed?—I do not know anything about that.

385a. Was any organization similar to that formed in Brockville?—Before the Scott Act come in, they had a meeting which Mr. Phillips attended, and a committee was appointed. I was not one of the committee.

386a. On what lines did the committee work?—They had a subscription list, and money was collected to help in the enforcement of the law.

387a. How was the money used?—I don't know.

388a. Did they employ people to act as detectives?—I don't know.

By Judge McDonald:

389a. Did you vote to repeal the Act or to sustain it?—I voted to sustain it.

390a. Did you take any part in the contest?—I did what I could.

391a. How do you account for its repeal?—The non-enforcement of it. If the Scott Act had been enforced, it would not have been repealed.

By Mr. Clarke:

392a. You do not know anything of the causes which led to the repeal of the Scott Act in other counties?—No.

393a. You do not know anything of the operation of the Scott Act in other counties?—No.

By Rev. Dr. McLeod:

394a. Did you understand the repeal of the Scott Act to express the feelings of the people against general prohibition?—I think not. I think men who voted for the repeal of the Scott Act would vote for prohibition.

395a. You understand that they were simply dissatisfied with the operations of that law here because it was not enforced?—Yes.

By Judge McDonald:

396a. Is there any other statement you would like to make?—There is only one. I have heard hotel men say that they cannot run the table part of the business alone; they want the bar to help to pay expenses. It seems to me that if I get a dinner at a

hotel that is worth seventy-five cents, and a poor drunkard comes and spends money at the bar to enable me to get my dinner for fifty cents, that is wrong. If they do not charge enough for my dinner, they ought to charge more.

397a. Do you know if there are any of what are called temperance hotels in the county at present?—John Forth, I think, has one. The county fairs are held in his neighbourhood.

JOHN DARGAVEL, of Brockville, Town Clerk, on being duly sworn, deposed as follows :—

By Judge McDonald :

398-9a. You reside in Brockville?—Yes.

400a. How long have you resided here?—I came here from the country in 1879 after having been away ten years. I was born here.

401a. You are Town Clerk of Brockville?—Yes.

402a. How long have you been Town Clerk?—Since 1879.

403a. You were Town Clerk before the Scott Act was adopted, while it was in force and to the present time?—Yes.

404a. How many licenses are there in Brockville now?—Eleven tavern, two shop, and two wholesale licenses. We get no fees from the wholesale licenses.

405a. What fees do you get from the tavern and shop licenses?—Our by-law says \$500 for taverns and \$400 for shops.

406a. Does any portion go to the Government?—Up to \$200 the town gets two-thirds, and all above that is divided equally between the Government and the town.

407a. Can you tell us in round numbers what the town gets from licenses—this year, for instance?—The amount received this year from the first of May is \$3,658.

408a. Have you a statement showing the amount received by the town from fines while the Scott Act was in force?—The Scott Act fines received were: in 1886, \$200; in 1887, \$5,123.85; in 1888, \$4,608.45; in 1889, \$2,050; and in 1890, \$90.05, paid over to me by Mr. Phillips as the balance of a refund for 1888-89; a total of \$12,072.35 in Scott Act fines for the three years.

409. Does that include the amount paid by the Police Magistrate to the county over which there was a suit which was afterwards compromised?—No.

410a. So that that there was \$650 more, paid in Scott Act fines, that the town did not get?—Yes.

411a. What did you pay out for the enforcement of the Scott Act?—In 1886, \$1.10; in 1887, \$917.94; in 1888, \$3,938.73; and in 1889, \$1,472.68; a total of \$5,330.45.

412a. That leaves a balance in favour of the town of nearly \$6,000. What became of that money? Did it go into the general fund of the town?—Yes.

413a. What was the reason that the amount paid out in 1888 was so much larger than that of any other year?—In that year we charged against the fund, part of our police expenses and part of the Magistrate's salary.

414a. Then 1887 would represent more nearly the actual expenses of the enforcement of the Act?—Yes, I suppose it would. That would be the lawyers' fees and summonses, and so on, expended in enforcing the Act.

415a. Do you know what portion of the Police Magistrate's salary and the police expenses were charged to this fund?—I do not. I think about half for the year.

416a. And a part in 1890?—Yes.

417a. Your police force is still maintained at as great a strength as it was then?—Yes.

418a. And you have the Police Magistrate?—Yes.

GEORGE A. RUDD.

419a. And the same salaries are paid to them and charged against the general rates?—Yes.

420a. The Police Magistrate has told us that during the Scott Act period a system prevailed by which, when a man was summoned the second or third time, somebody would get up in the court and say that he had a lease of the bar, and would plead guilty. Did you see that sort of thing going on?—Yes; I saw that a great many times.

421a. We were told also that some of these men would have a great many tenants—one day one man and another day another. Did you see that going on?—Yes. That happened with the Revere House and the St. Lawrence Hall.

422a. Did you know the men individually who declared that they had leased?—Yes, some of them.

423a. Had you reason to believe that they had leases of the bars at all?—No.

424a. Did you suppose that it was just a sham?—Yes. They would show their leases.

425a. Was any representation made to the Government of that state of things going on?—Not that I know of.

426a. Or to the Town Council?—No.

427a. Are you in favour of prohibition?—Yes, I would like to see it.

428a. Were you a supporter of the Scott Act?—No, I was not.

429a. Were you in favour of repeal?—Yes.

430a. What did you think of the enforcement of the Act?—I do not think it was enforced at all. I think there was just as much drunkenness under the Scott Act as under license, and more perjury—ten times more. Respectable men would go and swear that they did not know what they had been drinking—whether it was buttermilk or what it was.

431a. Did these men hold responsible positions in the community?—Oh, yes.

432a. To what do you attribute the non-enforcement of the Act?—I cannot say why it was not enforced.

433a. Taking the system as it existed here, was it anything more than an indirect licensing system?—That is all it was.

434a. You would favour the passage of a general prohibitory law?—I would.

435a. In case of the enactment of such a law, would you favour the remuneration of distillers and brewers for their plant and machinery rendered useless?—I think they ought to be.

436a. In case of the passage of such a law, would you permit the importation or manufacture of liquor for mechanical, medicinal and sacramental purposes?—Oh, yes.

437a. How would you provide for the manufacture of the liquor required for such purposes?—I would put it under Government control.

438a. Would you favour permitting individuals, under such a law, to bring in liquor for their own use, for beverage purposes in their own houses?—I would not, only under a doctor's certificate.

439a. To what authority do you think the enforcement of such a law should be committed—Dominion, Provincial or Municipal?—I think the Provincial Government ought to attend to that.

By Mr. Clarke :

440a. Do you think a prohibitory law could be enforced better than the Scott Act?—It could be enforced as well.

441a. But you did not favour the Scott Act?—I did not, because I thought they could not enforce it.

442a. Do you think they could enforce a prohibitory law?—I think they could enforce it as well as the Scott Act. I would like to see prohibition universal.

443a. I understand that you voted against the Scott Act and in favour of its repeal, and you looked upon it as a roundabout license system—but you favour general prohibition, and I want to know if you think it could be enforced better than the Scott Act, which you regard as a failure?—If liquor were not manufactured they could not get it.

444a. Do you think the condition of affairs at present is better or worse than the condition under the Scott Act?—I think we are just as good. I think people are getting to drink less and less all the time.

445a. Do you attribute that to the educational effect of the Scott Act?—No, I do not.

445½a. To what do you attribute it?—To the churches and the schools—to the stand they take against drunkenness.

446a. How do you account for the non-enforcement of the Scott Act, which came into operation only after a majority of the electors voted in favour of it?—I think the people saw that it was such a farce that they got sick of it.

447a. How would you ascertain whether public opinion was in favour of a prohibitory law or not?—I could not tell you that.

448a. How did the License Inspector and the police perform their duty during the Scott Act period?—I think they performed it very well.

449a. Do you think they were earnest and zealous in enforcing the law?—Yes. Mr. Phillips seemed to be very zealous to do all he could to get a conviction.

450a. Did the police force aid him in the discharge of his duty?—Yes.

451a. Was the question of the appointment of additional police officers to aid Mr. Phillips ever brought out?—No.

452a. Was any dissatisfaction expressed with Mr. Phillips's conduct?—No, I think not.

453a. And yet the law was not enforced?—No.

By Rev. Dr. McLeod :

454a. You spoke of perjury. Do you think that was attributable to the law or to the man?—The trouble was in the man. The law was all right.

455a. You would not charge that to the law?—Oh, no.

456a. Do you suppose that if the interests of such men were at stake, they would perjure themselves in other cases?—No, I think not. They did not want to convict the men.

457a. Do you suppose this had anything to do with it—that they were parties to the violation of the law?—No, I think not. They simply wanted to save the men.

458a. Would you set down the law as a bad law because of that? The perjury was not in the law, but in the grain of the men, and the law furnished the occasion for bringing it out—do you suppose that was the case?—Yes.

459a. Why would you compensate distillers and brewers?—Because they have a large amount of money at stake, and it would not be right to deprive them of it.

460a. Would they be deprived of it?—Certainly they would. The machinery would be of no use to them.

461a. A law prohibiting the manufacture and sale of liquors would not take any money away from them?—It would render their machinery useless to them.

462a. Are they not licensed from year to year?—I could not tell you that.

463a. Would you also compensate the people who have suffered because of their business?—I would like to see that done.

464a. But you think they would be a little difficult to reach?—Yes.

465a. Do you know whether the licensees in Brockville observe the provisions of the license law, such as not selling in prohibited hours, on Saturday night or on Sunday, to minors, drunkards or Indians?—I could not tell.

466a. Have there been any cases before the court of men charged with violating these prohibitions under the present system?—There have been a few—probably three or four so far this year.

467a. Do you know whether there are any people in Brockville selling without license?—I could not tell you. I do not think there are.

468a. Since the license law came in, have there been any?—Not that I know of.

469a. The taverns are not necessarily all hotels, are they?—There is just one saloon, I think.

470a. What are those shop licenses?—For selling by the pint or quart.

471a. Not by the glass?—They are not supposed to.

JOHN DARGAVEL.

- 472a. Do they sell with groceries?—No, entirely separate.
 473a. Do the wholesale men sell other things, or exclusively liquors?—All we have here are brewers.
 474a. You have breweries here, have you?—We have one brewery.
 475a. Is it a large establishment?—Quite a large establishment.
 476a. It sends considerable of its products out of Brockville, I suppose?—Oh, yes.
 477a. Do you know if it employs many men?—I do not.
 478a. How many men have you on your police force?—Four men and a Chief.
 479a. How long have you had that number?—We have had them ten years.
 480a. No less and no more?—No less and no more.

JOHN DUMBRILLE, of Maitland, Inland Revenue officer, on being duly sworn, deposed as follows:—

By Judge McDonald :

- 481a. You reside at Prescott?—I reside at Maitland. My office is at Prescott.
 482a. You are Inland Revenue officer?—Yes, for the district of Prescott, comprising the counties of Leeds, Grenville and Dundas.
 483a. How many distillers are there in your district?—One, and three breweries.
 484a. These are all under your charge?—Yes. I put in a statement showing the number of pounds of malt used, the amount of duty thereon, and the number of gallons of malt liquor produced, from July 1st, 1880 to June 30th, 1893, as follows:—

	Malt.	Duty.	Malt Liquor.
July 1, 1889, to June 30, 1890.....	2,311,599 lbs.	\$23,115.99	738,824 gals.
“ 1890 “ “ 1891.....	2,329,519 “	23,295.19	751,855 “
“ 1891 “ “ 1892.....	2,015,866 “	40,317.32	674,930 “
“ 1892 “ “ 1893.....	2,043,728 “	40,874.76	700,506 “

I also put in a statement showing the number of proof gallons of spirits entered for duty, the amount of duty collected on the same, and also the amount of American spirits imported for manufacturing purposes, from July 1, 1889, to June 30, 1893, as follows:—

	Proof gals.	Duty.	U.S. spirits.
July 1, 1889, to June 30, 1890.....	34,332.22	\$109,631.88	30,869.69 gals.
“ 1890 “ “ 1891.....	43,477.68	63,117.71	15,491.07 “
“ 1891 “ “ 1892.....	47,659.48	71,488.99	46,270.17 “
“ 1882 “ “ 1893.....	46,675.17	70,012.18	46,592.97 “
Totals.....	227,144.55	\$314,250.40	139,225.90

485a. These statements are taken from your books?—Yes. I might explain that the spirits imported for manufacturing purposes were to manufacture crude fulminate of mercury, and as soon as the spirits were destroyed in the manufacture and the product exported to the United States, the duty was refunded.

486a. Under the Dominion regulations, the distilleries are entirely under your charge?—Yes.

487a. You have officers there all the time?—Yes, we have four officers there.

488a. Any officers in the breweries?—One in each malt house. Each brewery has a malt house.

489a. How long have you been in office?—Since April, 1885.

490a. Has there been any change made in the regulations since that time as to the plant and machinery used?—There have been some improvements at different times, repairs and improvements in both distilleries and breweries.

491a. Do these breweries and distilleries take out licenses every year?—Yes.

492a. How is the application made for them?—The one is for malting, not for brewing, and the other for distilling and rectifying.

493a. Do these applications require to be signed by any ratepayers?—No, simply by the manufacturer, with two bondsmen.

494a. Do the same bonds continue, or do they get new bonds every year?—New bonds every year.

495a. Is there any investigation made before a license is granted?—The premises are surveyed by our officers, and they make a statement of the different compartments, machinery and everything.

496a. Since you came into office have the same persons continued in the trade?—Yes, the same distilleries and the same breweries.

By Rev. Dr. McLeod:

497a. Why are these four officers placed in the distilleries and the breweries?—To see that the law is carried out.

498a. The Government, then, does not seem disposed to trust to the distillers and brewers to carry it out?—They think it better to look after them.

499a. There is a regulation that spirits must be kept in store for two years?—Yes.

500a. What is the object of that?—I do not know.

501a. Some persons have the idea that it is to rectify the spirits and free them from impurities?—Some say that it improves with age.

502a. Have you ever heard it suggested that it is a scheme by which the big distilleries freeze out the smaller ones?—I have heard that, but I do not know anything about it.

By Mr. Clarke:

503a. Have any of the smaller ones been frozen out since that regulation was adopted?—I have heard of one in Montreal. It perhaps prevents some smaller ones from starting.

504a. Do you know anything about the operation of the Scott Act in these counties?—No, I do not.

505a. Did you see much change in the appearance of things during the years it was in force?—No, I did not. I saw as many drunken people during the Scott Act period as before or since.

SAMUEL I. BOYD, of Brockville, Collector of Excise, on being duly sworn, deposed as follows:—

By Judge McDonald:

506a. You reside in Brockville?—Yes.

507a. What is your occupation?—Deputy Collector of Excise at Brockville.

508a. How long have you been in that office?—Two years in September next.

509a. Before that where did you reside?—In Prescott.

510a. Can you give us any figures?—I produce a statement, taken from the book kept by the excise department at Brockville, showing the duty received on spirits and malt for each month from July 1, 1890, to June 30, 1893, with the quantities of spirits and malt ex-warehoused.

511a. Could you make up a similar statement for the previous three years?—Yes.

512a. What does your excise here cover?—Spirits and malt liquors and cigar factories, of which we have three.

By Rev. Dr. McLeod:

513a. Do you place officers in each of the cigar factories?—No, one officer can take charge of three.

JOHN DUMBRILLE.

514a. Does he visit them?—He visits them occasionally.

By Mr. Clarke :

515a. Were you a resident of Brockville during the Scott Act period?—No, I was a resident of Prescott.

516a. How was the law enforced in Prescott?—Very indifferently.

517a. Was there any difficulty in securing liquor?—I do not think there was any.

518a. Was there any marked increase in drunkenness during the Scott Act period?—I am not aware that there was.

519a. Did you notice any increase or decrease?—If I did it has escaped my memory. I was Mayor of the town during the whole term, I think.

519½a. You might tell us something about its operation, then?—As I said before, I consider that it operated very indifferently.

520a. Upon whose shoulders rested the responsibility of its non-enforcement?—It seemed to be almost impossible to get evidence to convict certain parties who were continually infringing upon the law. It was commonly said with reference to some: "There is no use making a complaint against that man; the evidence will not be sufficient."

By Rev. Dr. McLeod :

521a. Do you think the officials did their duty faithfully?—I do not think so.

522a. Do you think that if the officials had done their duty faithfully there would have been a better enforcement of the law?—I do not know about that, inasmuch as there appeared to be a public opinion against the enforcement of it. There seemed to be rather a pleasure than otherwise when parties escaped conviction.

523a. How do you reconcile that with the public opinion that brought the law into operation?—My opinion is that it was brought into operation before public opinion was prepared for it.

524a. Still, there must have been a vote to bring it in?—I am not aware that there was a vote taken on that question—not a direct vote of the people.

525a. It certainly could not get into operation without such a vote?—I have no recollection of it. By the by, I believe there was, in December, 1884.

By Mr. Clarke :

526a. The people did not seem to desire to see it enforced after it came into operation?—No. The fact of the matter is, the enforcement of it seemed to resolve itself into the hands of the liquor dealers to administer.

527a. How was that?—It was manipulated in some way so that, generally speaking, they administered the law.

By Judge McDonald :

528a. Had you, in Prescott, a system such as the Police Magistrate of Brockville spoke of as existing here, of periodical fines?—Yes.

529a. According to his evidence or that of the Inspector, it became a system of indirect license?—Yes, I think it got along just about that way. They seemed to be prepared to pay a certain amount of fines each year.

530a. The majority of the people of Prescott were opposed to the Act, I believe?—I do not know as to that.

By Rev. Dr. McLeod :

531a. Do you know whether the sale under the Scott Act was open or more or less secret?—I think it must have been secret, although parties I know came from the country and went away in the afternoon with liquor in boxes.

532a. They have a license system there now?—I believe they have.

533a. Not living there, I suppose you could not express an opinion as to how the license system works?—No; not for the last three years.

534a. How large a place is Prescott?—About three thousand inhabitants.

By Mr. Clarke :

535a. Do you know whether the bringing of the Scott Act into operation increased the consumption of liquor in homes?—I do not know.

JACOB D. BUELL, of Brockville, Clerk of the Peace, on being duly sworn, deposed as follows :—

By Judge McDonald :

536a. You are a resident of Brockville ?—Yes.

537a. Your office is that of Clerk of the Peace ?—Yes.

538a. And County Crown Attorney ?—Yes.

539a. You at one time represented this electoral district in the House of Commons ?—Yes.

540a. How many years have you lived in Brockville ?—Over sixty years. I was born here.

541a. As a citizen of the town have you noticed a great diminution in the drinking habits of the people ?—I have.

542a. So that there is really less now than there was in previous years ?—I am sure of it.

543a. You lived here during the operation of the Scott Act ?—Yes.

544a. Did you observe, as a citizen, how that Act was carried out ?—I think when it was first passed it was carried out fairly, but latterly it was not.

545a. The Magistrates make returns of convictions to you as clerk of the peace ?—Yes.

546a. Are you in a position to state to us at present how many convictions were returned ?—It is impossible without going through all the returns.

547a. We should be glad to have a statement for 1886, 1887 and 1888, showing the total number of convictions returned, and how many of those were for offences under the Scott Act ?—I will make it up. The number for the last year was much greater than before.

548a. You have been a public man for a great many years ; we would like to have your opinion of a prohibitory law prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes. Would you favour such a law ?—I do.

549a. Do you think such a law could be enforced ?—I don't think it could.

550a. It is a matter of principle, pure and simple, that you favour it, then ?—Yes.

551a. What is the difficulty in the way of enforcement ?—In the first place, I do not think the people would enforce it. It is charged that the officers do not enforce it to any extent.

552a. Why do they not ?—It is looked on as a mean sort of business.

553a. Is there a different opinion with regard to it from what there is with regard to other laws ?—Yes, there is. It is very difficult to get temperance people to give any information whatever. They want to throw the burden on other people. I have found in my experience that they want other people to do the duty they ought to do themselves, and the other people do not wish to do it.

554a. You were not brought officially into connection with any of these cases ; they were not brought into your courts ?—No.

555a. If such a prohibitory law as you favour were enacted, would you permit the importation or manufacture of liquor for mechanical, medicinal or sacramental purposes ?—I would not, except for medicinal purposes.

556a. For mechanical or sacramental purposes you would not ?—I think they could get on without them, as a rule.

557a. In case of the manufacture for medicinal purposes, would you favour that being in the hands of the Government itself ?—I have not considered that at all.

558a. Would you favour such a law being enforced by Dominion, Provincial or Municipal officers ?—I think Dominion officials should enforce it.

559a. In case such a law were passed, would you favour the remuneration of brewers and distillers for loss of plant ?—No, I do not think I would. They manufacture at their own risk entirely.

560a. It is said that if such a law were passed, there would be a loss to the revenue of the Dominion of six or seven millions of dollars. How would you propose to make

JACOB D. BUELL.

that good?—That is a matter I have not given any consideration to. It is a very serious matter to consider.

561a. If it became necessary, would you favour direct taxation to make it up?—I do not think it would be fair in some respects to all the community who do not favour a prohibitory law at all, and it is a question whether it is fair to burden them with the taxes that would come off other people's shoulders.

562a. It would be almost impossible to find out who are prohibitionists and tax them alone; you could not put a tax on a section?—It certainly would be a difficult matter.

563a. You have not considered how that could be done?—No, I cannot say that I have.

564a. Have you considered how you would provide for the payment of the salaries of the officials to enforce the law?—No, unless it came out of a fund like the Scott Act fund, made up of fines and penalties.

565a. If the law were really enforced, would there be any fines and penalties? I mean if it were really prohibitive?—Oh, well, you cannot enforce it.

By Mr. Clarke :

566a. Would it be good policy to place a law on the statute book that could not be enforced?—I certainly would like to see the law.

567a. Would it be in the public interest to place a law on the statute-book that could not be enforced?—It could not possibly.

568a. What would be the moral effect on the community of putting a law on the statute book that could not be enforced?—A very bad effect.

569a. What was the effect of putting on the statute book the Scott Act that could not be enforced thoroughly?—I think the effect was bad.

570a. As between the Scott Act and the license system, which would be the preferable in the public interest?—The license system, I think.

571a. Have you considered what amendments should be made to the Scott Act to make it workable?—I have not.

572a. Was it really the lack of public sentiment behind it that rendered it unworkable?—Yes, I think so.

By Rev. Dr. McLeod :

573a. Still, you think, in the public interest, moral, financial and commercial, a prohibitory law is desirable?—Yes, I think so. I would like to see it.

WILLIAM RICHARDSON, of Brockville, County Clerk, on being duly sworn, deposed as follows :—

By Judge McDonald :

574a. You reside in Brockville?—I do.

575a. You are the County Clerk of the United Counties?—Yes.

576a. I believe you represented one of the divisions of Leeds in the Legislative Assembly of Ontario?—Yes.

577a. How long have you resided in Brockville?—Nearly four years.

578a. Before you were County Clerk, were you a member of the County Council for a time?—I was.

579a. And Reeve of one of the townships?—Yes.

580a. Do you recollect as a County Councillor, requisitions coming in from the Board of License Commissioners for funds for the expenses of the Board and the Inspector, when the Scott Act was in force?—I do.

581a. These requisitions were made upon the County Council?—They were made, as I remember them, by the Board of License Commissioners, and then passed upon by a

certain department of the Government, which made them authoritative, upon us to pay them, and the county always did pay them.

582a. You as a County Councillor recollect that?—Yes. I might say that I was one of a committee appointed by the Council to close up the accounts—to receive statements from the different Inspectors and also the Police Magistrate, and the papers came before me then, as well as when I was a member of the Council.

583a. Have you any documents to show how much was paid in fines to the county?—I have the Canadian Temperance Magistrate's book which shows every fine that was imposed. I have also certain returns. It would take a lot of investigation to show how many fines were paid.

584a. Is there anything to show what was received in fines year by year?—Our Treasurer's book would show that. I have the returns made for Grenville for the three years from 1886 to 1889 the amount spent and the amount received. In the last year the Commissioners made a requisition for more money than they actually required.

585a. The Dominion Government gave the Scott Act fines to the counties for Scott Act purposes?—Yes.

586a. And the counties received those fines?—Yes.

587a. Taking the sums of money received from those fines and the sums that the License Commissioners and the Inspector required to be furnished for the purposes of the Scott Act, was there a surplus in the hand of the County Treasurer?—I think so. Mr. Mansell can give you exact figures.

588a. This paper shows that the Grenville Inspector required in the first year, 1886-87, \$633.33; in the second year, 1887-88, \$494.40; and in 1888-89, \$2,016?—Yes, all of which in the last year was not expended.

589a. Part of that has been paid back to you?—Yes, \$500.

590a. During the time the Scott Act was in force where did you reside?—In the Township of Leeds, at the village of Seeley's Bay.

591a. As a citizen of the United Counties, had you an opportunity of observing the working of the Act in that section?—I did.

592a. How was it enforced?—I think it was very poorly enforced. It was a great failure as it was enforced.

593a. What was the difficulty?—It was not sustained or backed by public opinion; I think that was the great difficulty. Men broke that law who were considered pretty good citizens in other respects.

594a. Was there any open sale?—Oh, yes, in every village. After there were any fines, there might be a little attempt to sell it clandestinely, but it would not be long before it was sold quite openly again.

595a. In your village were any fines followed by imprisonment on the second or third conviction?—I think there were one or two cases. It was felt that if these men were fined often, they would be paying a pretty heavy license fee.

596a. In your village was there a majority in favour of the Act?—Yes.

597a. And a majority in favour of repeal?—Yes.

598a. How do you account for that?—Many who voted for it in the first vote did so because they disliked the idea of voting against the temperance men, although they had very little faith in it, but the second time they came out and voted against it.

599a. Do you favour the total prohibition of the importation, manufacture and sale of intoxicating liquors?—I do not know much about it. I am in favour of anything that may promote temperance.

By Mr. Clarke:

600a. Did the Scott Act tend to promote temperance?—No. Possibly there was not so much drunk, but it was drunk under worse circumstances.

By Judge McDonald:

601a. You cannot count yourself as an advocate of a prohibitory law?—I would rather see a good stringent license law.

602a. Why?—Because I do not think public opinion would back up a prohibitory law.

WILLIAM RICHARDSON.

603a. Would you favour a prohibitory law if it could be enforced?—I think people have to be convinced that this drinking habit is wrong.

604a. Have you noticed an increase of temperance sentiment among the people in the last few years?—I think there is.

605a. And less drinking than there used to be?—I think there is.

606a. To what do you attribute that?—I suppose people are getting a little more sensible.

607a. And the religious and moral influences?—Yes, I think they are doing their share of the work, and education.

608a. In the case of enactment of a prohibitory law preventing the importation, manufacture and sale of intoxicating liquors, would you favour remunerating brewers and distillers for the plant and machinery they would lose?—I am not very sure. I have not given that matter sufficient consideration. I would be slow to put a tax on the people to recoup these men. I believe it would be better to give them a notice. I feel that there would be so many expenses in connection with the matter, such as the loss of license and so forth, that the people would not be prepared to stand a tax for the loss these men might sustain.

609a. Have you considered any plan by which the revenue that would be lost to the Dominion, amounting to some six or seven million dollars, could be made up?—No. I can only say that there would either have to be an immense lessening of public expenditure or else direct taxation.

By Rev. Dr. McLeod :

610a. Were you favourable to the adoption of the Canada Temperance Act in these counties?—Not very strongly so. The first time the vote took place I did not vote. The second time I voted for the repeal of the Act.

611a. As a public man have you observed what effect the liquor traffic, as it is carried on, has on the business interests and the social and moral conditions of the community at large?—I think there is nothing very elevating about it.

612a. Do you think the drink traffic has any effect on the social and moral conditions of the people, and if so, is the effect good or bad?—I think it has a demoralizing effect. I think, however, that the Scott Act was more demoralizing than the present license system.

613a. Why?—It was a law that was generally discredited. The people trying to enforce it enforced it in such a way as to bring discredit upon the Act, as well as upon themselves.

614a. Did they design, in their methods of enforcement, to bring discredit upon the Act?—No, although it is the weakness of the promoters of it. In one portion of this county there was an open bargain made that all fines would be abandoned if the liquor men would quit selling for a certain time, and a couple of thousand dollars of fines were abandoned entirely.

615a. Did they quit selling?—I think they did for a time, and then went on selling again. It is so said; I was not in that part of the county myself.

616a. Some have said, that the non-enforcement of the Act was attributable to the lack of faithfulness on the part of the officials. What do you think as to that?—I do not know. I think that the officials dealt with about every case that came to their knowledge; I have no reason to think otherwise. There was of course this repetition of the first fine, which meant in every instance a heavy license.

617a. That was not the design of the Act?—No, I would think not.

618a. Had the Act been better enforced, do you believe good would have resulted from it?—If the Act had been so enforced as to stop the sale of liquor, I think it would have done good.

619a. Do you mean stop it absolutely, or in a considerable degree?—If it had stopped it to a considerable degree, in the case of people who get liquor to their detriment, it would have done good.

620a. Do you think lack of vigilance on the part of officials, sundry appeals and the like, caused a condition of things that discouraged the friends of the law?—That

might be. Even with a better enforcement, I think the Act would have been a failure; more harm would have resulted.

621a. What harm, and how?—People were constantly violating the law. There was not a general regard of the law.

622a. There was a constant violation of the law, by whom?—By people who otherwise were considered good citizens.

623a. The men who had previously held licenses?—Yes, and as far as drinking is concerned, by men who were justices in the country, and men who filled positions of enforcing the law. It was generally disregarded.

624a. Was that the fault of the law, or the fault of those men?—I presume it was the fault of those men.

625a. To what do you attribute the habits of those men? Were they the creation and outcome of a license system—which so controlled them that they must gratify the habits by violating the law?—That may be. There were many men who felt that it was a little infringement upon their personal liberty, their personal rights. Those things that they considered their rights may have been the outgrowth of the license system.

626a. Do you believe in the prohibitions that attach to the present license system, that is, as to certain hours, the Lord's Day, election day, and so on?—Yes.

627a. Why do you favour those prohibitions? What is the advantage of them?—They are days on which in many cases large number of people are gathered together, and no great interest suffers by men being kept from liquor on those days.

628a. Is it not an interference with personal liberty?—It may be.

629a. If an interference with personal liberty is permissible in the public interest on one day, why not on other days, if it is in the public interest?—I am not arguing the point. I am giving you my views.

630a. You stated that it was an interference with personal liberty, and I wanted to get at the pith of that. Do you know whether the licensees of Brockville now observe the prohibitions of the license law? Do you know whether any of them sell after hours?—I do not know as to that.

631a. I suppose, not being a drinking man, you do not know?—I am not a total abstainer, but I have not been in a public house on Sunday in Brockville since I have been here. I have not heard of any.

By Mr. Clarke:

632a. Is the state of things under license better or worse than under the Scott Act?—Better, I think.

633a. As a matter of fact, your opinion is that the Scott Act, as far as enforcement was concerned, was a farce?—Yes, that is my opinion.

634a. And sale went on continuously all through the county?—Yes.

635a. And all sorts of shams and subterfuges were resorted to to get liquor?—Yes.

636a. What was the effect on the young people of this town of that state of things?—The effect was demoralizing, I think.

637a. In the smaller places throughout the county, the villages, was there any attempt made steadily to repress the illicit sale?—There was for a while, at first, some attempt made to check it; there was a certain organization; but I think the parties who were concerned in the matter got a little tired of that.

638a. And it was practically free sale towards the close of the Scott Act period?—Yes.

639a. Are there as many places selling liquor in the county now as were selling illegally under the Scott Act?—I do not know. I do not know enough about Brockville to say, but out in the villages one or two places would be all there was room for at any time. There is one or two in all of them now.

640a. Was there more than one or two selling illegally?—I do not know as to that. I think the sale during the Scott Act period was largely confined to the house that had formerly been selling, and I think it is largely in the same hands to-day.

641a. Is it your opinion that the Act came into force because many people, wanting to be on the right side and thinking that the Scott Act might go a long way to promote

WILLIAM RICHARDSON.

temperance, did not vote against it, did not vote at all, but after trying it for three years, came out and voted against it?—Yes, there is sufficient there to account for the change in the vote.

642a. If the Act had been promoting temperance and morality, is it likely that the people of this county would have repealed it?—I presume not. I have heard some express the opinion that the city of Kingston being so near the western side of our county, and the county also extending along the river, these conditions favoured the breach of the Act.

643a. And then you had a distillery here in the county?—Yes, and three breweries, I think.

644a. Do you think the Act could be amended so as to make it workable?—I think it will be pretty hard to stop the people drinking if liquor is within their reach.

645a. If there is not a strong public sentiment behind the Act it cannot be enforced?—No.

By Rev. Dr. McLeod :

646a. Do you think a law which prohibited the importation as well as the manufacture and sale, would be more easily enforced?—I do not think so.

647a. You said the condition of things under license is far preferable to the condition of things under the Scott Act. Would you kindly explain in what respect?—The manner in which that law was enforced made many people breakers of the law, and it produced a bad effect. In many cases, too, liquor reached private families that I do not think it reaches now at all; and the example of drinking was seen by the members of the family, whereas under the license system it is never seen.

648a. In one case they only saw the effects, but not the drinking?—I have known men who drank, who did not show the effects very much.

649a. Is this the situation: certain men held licenses to sell; the law took those licenses away and said they should not sell; they became very disorderly, and were fined; and in order to pacify them, licenses were given to them again, and so there came about a better state of things—is that it?—I do not think that design was in it at all.

650a. But that is what has been brought about?—Yes. The thing was in a very bad state under the Scott Act. I presume they are just as bad yet.

651a. I understood you to say that the places where liquor was sold under the Scott Act were the very places where it was sold before the Scott Act?—They are there; but the man who controls his house controls it very much better than where there have been breaches of the law, as was very much the case under the Scott Act.

652a. It was stated many times in the papers that the people who were bound to sell were so defiant of the law that they tried to terrify the enforcers of the law by fires and other outrages? Was that the case in this county?—I think there was one case of some disturbance in the village of Athens. I think there was a case also at Gananoque of a man interfering with a constable. But I do not think there was any general lawlessness of that kind in the county.

653a. Were there fires in this county?—I never heard of any. I do not think there was anything so marked in this county as to have a very great effect.

By Mr. Clarke :

654a. Would the electors of this county likely be terrorized into repealing the Scott Act by a few rumsellers?—Oh, no, I do not think that.

G. T. LABATT, of Prescott, brewer, on being duly sworn, deposed as follows :—

By Judge McDonald :

655a. You reside in Prescott?—Yes.

656a. How long have you lived there?—Since September, 1869.

657a. What is your occupation or calling?—Brewer and maltster.

658a. Have you made a statement of your output?—I have. The vote on the Scott Act took place on the 16th of December, 1884, I think, and the Act came into force on the 1st of May, 1886. I have made up a statement of the increases in the beer produced in the years that the Scott Act was in force, and the decreases, beginning with the year after the Act was done away with. In the year commencing with May, 1886, the increase over the previous year was 16,225 gallons; the increase in 1887 over 1886 was 26,400 gallons; in 1888 over 1887, 19,425 gallons; and in 1889 over 1888, 22,075 gallons. In 1890, there was a decrease from 1889 of 7,700 gallons, and in 1891, a decrease from 1890 of 41,250 gallons. In 1892, there was an increase again over 1891, of 31,725 gallons.

659a. After the Scott Act came into force there was an increase in the output of the brewery?—Yes.

660a. Was that output sold locally or through different sections of the country?—All over, through different sections of the country.

661a. This part of Ontario was almost wholly under the Scott Act?—Yes, and in Quebec also. It was pretty general all through Ontario and Quebec at the same time.

662a. To what do you attribute this increase?—I suppose that the people who wanted to drink ale thought they were justified in doing so independently of any Scott Act law.

663a. Why do you think there was such a large increase in the consumption? Why would they take more than they had previously done?—I do not know. We may have taken some of the trade away from some western brewers: that is the only way I can account for it.

664a. Do you think it could be accounted for by this, that people who had formerly gone to places to get it by the glass would take it into their houses in quantities?—They did that to a certain extent.

665a. Do you think that would account for the whole of it?—No. We shipped it to people the same as before the time of the Scott Act. Of course, we had a good deal of private trade, but not to the extent you speak of. I think it meant more among the liquor dealers themselves.

666a. And then you think it was partly due to your getting trade that used to go to western brewers?—Yes, and even Montreal brewers.

667a. How do you account for that?—I suppose the article would account for that.

668a. Then the Scott Act has not to do with the increase?—No. It is rather a remarkable thing, however, that we should have the increase when we were rather alarmed at the Scott Act.

669a. Perhaps it would not be fair to ask you whether, if the Scott Act increased your business, you favoured the repeal of it?—Yes, I favoured the repeal.

670a. Why?—Because I think that Act demoralized the people.

671a. In what way?—There is no doubt there was a great deal of perjury and a great deal of wholesale drinking, farmers and others who had not large quantities in their houses before, taking it home. Besides that, we were continually in terror, I may say, of getting into trouble. We did not like to be hauled up in court for violating a law which we thought was an arbitrary one. We would rather do our business in a clean and decent way. The Government was our partner, as it were, and always had the lion's share. We tried to make the business as respectable as we could. We thought it a legitimate business, and we thought we were getting used very badly in this matter.

G. T. LABATT.

By Rev. Dr. McLeod :

672a. Notwithstanding that your business was increasing?—We would rather do business quietly without being brought up into court. It made things very unpleasant. Besides, we had great interests at stake. Our whole capital was invested and we could not see it sacrificed, and we had to go on. We have tried to act honestly and sincerely, and we think we conduct our business as respectably as any other class of men in manufacturing or wholesale industries.

By Judge McDonald :

673a. You do pay a yearly license fee?—Yes.

674a. Do you look on your license as a matter likely to be revoked, or as a matter of course, to be renewed as long as you pay your annual fee?—We pay for two licenses.

675a. I am speaking of the Federal license?—Yes, we get that license as long as we act all right and observe the law.

676a. What amount do you pay for the Provincial license?—I think it is \$200.

677a. In the case of the Dominion, the amount you pay is based on the amount of business you do?—It is to a certain extent. The licenses for malt houses are divided into classes one, two, three and four. Ours is classed number two, according to the capacity of our stoop tubs. I think we pay \$150 for that, \$150 for the brewing license and \$200 on the malt—the amount of malting we do.

678a. It has been suggested in some places that the effect of the Scott Act is to decrease the use of ale and increase the use of spirits because they are less bulky and can be more easily concealed?—I have heard that said, but I could not say. In a good many cases, at distant or out-of-the-way places which it was difficult to reach, they took whisky, and let the ale go. A gallon or two of whisky that could be watered down take up far less space than a ten gallon keg of ale, and would last a long time, whereas a dozen or two of ale would not last very long.

679a. If a law were passed prohibiting the manufacture of ale, would you have any plant or machinery left on your hands that would be useless?—Nearly everything would be useless. I think there would hardly be a brewery that would not be a total loss, except perhaps in Toronto, which is growing so fast that they might turn them into other manufacturing establishments. But in Prescott our building would be left ten, twenty or thirty years without being used at all.

680a. Have you any illustration between here and Prescott of a building that was formerly used for distilling purposes that has become idle?—Yes, the building at Maitland that was used by Halliday. That was sold for almost nothing. Beautiful copper tanks were sold as old copper. The machinery was taken out as old iron, and most of it was a loss. The building tumbled down and finally went to pieces.

681a. Can you furnish us with any statement of your output by years up to 1893?—I have not got it here, but I will send it.

By Rev. Dr. McLeod :

682a. How do you account for your decreased output after the repeal of the Scott Act?—It is pretty hard to say.

683a. As soon as the law was repealed did people cease to have a desire to drink ale?—As I said before, we may have been taking away some of the western trade, particularly in the winter months, when it was easier to get it right here. People could not get in large stocks as they do now. The way the liquor men and the wholesale trade do now is to stock up in the fall, putting their stock in close cellars; a great many hotels do that. But in Scott Act times they were frightened to carry any large stocks on account of the officers searching, and they sent orders all about.

684a. Those figures do not mean increase in the consumption, but only increase in your sales because you had a monopoly?—I do not know how to account for it.

685a. Do you mean to say that in 1887 there were 26,400 gallons more used than in 1888?—More sold.

686a. And this is subject to the explanation you make that you had probably a part of the trade of other dealers;—Yes.

687a. So that this does not mean an increase in consumption so much as an increase in your sales?—If they got it they consumed it.

688a. Does that mean that they consumed more?—Not necessarily more ale. I am only giving my own sales.

689a. Speaking of this distillery that has been closed, that of Halliday, what forced him out of the business?—I was not here at the time, but I have heard that he did not pay some Government duties, and he fought them, and they wound him up and ruined him, and he had to go off.

690a. Do you think the Government should compensate him?—I simply mentioned that as an illustration to show that if we went out of business our establishment would go to loss.

691a. He ran against the law and got worsted?—Yes.

692a. Suppose Parliament passed a law that prohibited this whole business, the men continuing the business would be running against the law: do you think they should be compensated?—I think so.

693a. You believe in compensation?—Yes. I think it would be very unjust to pass a prohibitory law without compensating the distillers and brewers, for this reason. The Government are partners with us. They send a man to each establishment, and he keeps certain books, and we hand over to him the Government's share, and we take the balance.

694a. Why do the Government place that man there—because the Government are partners?—I think the Government are partners. They have to get their duty, and they put a man there to see that they get the right duty, just as I might buy a load of hay and want to get it weighed to see that I got the right weight. I would not want to say that I did not trust the man because I was wanting to see that I got a ton of hay.

695a. Does the fact of a man being placed there indicate that the Government are interested in the business you are carrying on, and the man is placed there to see that the business is carried on properly?—I think so.

696a. And the Government being partners, if they pass a law that drives you out of the business, they should compensate you?—I think so. But whether they are partners or not, if you start shutting them up, you will then want the tobacco factories closed, and after that something else may come up. I think it is interfering with a man's rights.

697a. You regard it as a sumptuary law?—Yes. I think you might as well interfere with a man's acting as his drinking. It seems to me that a great deal of attention is paid to drinking habits, and other things are forgotten.

D. J. McCARTHY, of Prescott, brewer, on being duly sworn, deposed as follows:—

By Judge McDonald:

698a. Where do you reside?—Near Prescott.

699a. What is your occupation?—Brewer and maltster.

700a. You have heard the evidence given by Mr. Labatt?—Yes.

701a. Do you concur with him as to the effect of the Scott Act in regard to sales?—It had a similar effect with us.

702a. Were you in business at that time?—Yes.

703a. Have you any figures?—I have a memorandum showing the increases in our sales during that period. Taking the year 1884 as a basis, 1885 shows a decrease of 4,037 gallons, 1886 an increase of 47,734 gallons, 1887 an increase of 105,557 gallons, 1888 an increase of 123,817 gallons, and 1889 an increase of 127,894 gallons.

704a. Are these increases each over the previous year, or each over 1884?—Each over 1884.

G. T. LABATT.

705a. The Scott Act was voted on in 1884 and came into force on the first of May, 1886?—Yes.

706a. How do you account for that increase?—I do not know exactly how to account for it, except that there were more people selling. Everybody almost throughout the county was selling liquor, and the trade seemed to increase very rapidly.

707a. Financially, then, the Scott Act was a benefit to you?—No, I do not think so.

708a. Why not?—It was sometimes very hard to collect money under the Scott Act. A man was sometimes unable to pay, and he said so.

709a. Though your output was larger, you ran the risk of people taking advantage of you, so that you would prefer doing business under a law that would enable you to collect?—Yes, we would prefer to do half the business under a law that would enable us to collect.

By Rev. Dr. McLeod:

710a. Have there been increases since 1889?—I think in 1890 there was a slight increase. There have been decreases since.

711a. Do you understand from that whether people are using less ale or not?—I could not say.

By Judge McDonald:

712a. In case of the enactment of a prohibitory law prohibiting the manufacture of ale, would you have much property rendered useless?—Yes. Our property is located in a country place. It would be entirely useless for any other purpose.

713a. Would you consider in such a case that compensation should be made to you for your losses?—I think so, especially as I am taking over the business from my brothers since my father's death.

714a. Your father who formerly owned the property died recently?—Yes.

715a. And by the provisions of his will a division of the property was made among his children?—Yes.

716a. And you are taking over the business, and paying your brothers for their shares?—Yes, and there are some others being paid.

717a. And if a prohibitory law were passed and no compensation were made to you, you would be out just what you had paid them?—Yes.

By Rev. Dr. McLeod:

718a. Even if you had compensation, would you favour a prohibitory law?—No. I do not think a prohibitory law could be enforced.

719a. Is your objection to a prohibitory law based on its impracticability or on principle?—On principle, and impracticability as well.

By Judge McDonald:

720a. Would you furnish us with a statement of your total output for 1887, 1888, 1889, 1890, 1891 and 1892?—Yes.

By Mr. Clarke:

721a. You said that during the Scott Act period liquor was being sold generally throughout the county?—Yes. I know where there were four or five licensed places. It was reported that there were twenty or thirty places selling liquor.

722a. Did that condition of things exist all over the county?—As far as I have any knowledge, it did in the different counties.

723a. The sale went right along?—Yes.

DAVID MANSELL, of Brockville, County Treasurer, on being duly sworn, deposed as follows :—

By Judge McDonald :

724a. Your residence is in Brockville ?—Yes.

725a. What position do you hold ?—County Treasurer.

726a. How long have you resided in Brockville ?—A little over twelve years.

727a. And during the whole of that time have you been County Treasurer ?—Yes.

728a. Can you give us a statement of the moneys paid in for Scott Act fines ?—I have a statement of the moneys paid out. I produce my book, which shows the moneys received.

729a. According to this, in 1886, from the first of May to the end of the year, the receipts from Scott Act fines were \$2,030.85 ; for that year there were no expenses ; in 1887 the receipts, including the \$2,030.85 from the previous year, were \$5,054.75, and the balance carried forward was \$1,677.20 ; in 1888 the receipts, including the balance, were \$6,912.97, and the balance carried forward was \$3,616.57 ; and in 1889 the receipts, including the balance, were \$7,289.27 ; and there is still on hand of moneys received for Scott Act purposes \$3,591.67 ?—That is right.

730a. There were requisitions made upon the county, as I understand, by the Board of License Commissioners and the Inspector, with the approval of the Ontario Government, for such sums of money as they needed for the purpose of carrying out the Act ?—Yes. That is included in the statement I have put in.

731a. During that time there was a Police Magistrate appointed for the county ?—Yes.

732a. What was his salary ?—\$900, which we paid, as well as \$100 for the rent of his office.

733a. That was paid out of the Scott Act fines ?—Yes.

734a. And you paid the Government requisitions for the enforcement of the Act ?—Yes.

735a. And after having paid all these, you had a balance of \$3,501 ?—Yes. I also paid the local Scott Act committee for the county.

736a. On what authority did you pay them ?—By order of the County Council.

737a. How much did you pay them ?—\$315.68. That was their bill of expenses to which they had been put before the Magistrate was appointed.

738a. So that whatever sums were asked for for the purposes of the Act were granted ?—Oh, yes ; I don't know of a single refusal.

739a. As a citizen did you see anything of the working of the Act ? How was it observed ?—It was not observed very well, I think. That was my observation of it.

740a. Do you think there was liquor sold for beverage purposes while the Act was in operation ?—I have not any doubt of it.

741a. Can you say, except from hearsay, whether there were more places engaged in the sale of it than there were under the license law ?—I can only say from hearsay. I have no personal knowledge of it.

742a. Are you in favour of a prohibitory law ?—I am not.

743a. Do you think such a law could be enforced ?—I do not think so, because I do not think the majority of the people are in favour of it.

744a. It would not be passed unless there was a majority of the community for it ?—I do not think any law could be enforced unless there was a majority, and a very large majority, in favour of that law. I am speaking of any law.

745a. In case of such a law being passed, would you favour compensation being made to distillers and brewers for the loss of plant and machinery ?—I think I would.

By Rev. Dr. McLeod :

746a. Was the law observed better at some times than at other times during those years ?—I dare say it was. I was not much connected with the enforcement of it or connected with it in any way.

DAVID MANSELL.

747a. Did you vote in favour of the adoption of the Act?—I did.

748a. To what did you attribute the enforcement of the Act, better at some times than at others?—I did not say that. I said it might be.

749a. You did not observe whether it was better enforced at some times than at others?—I did not. I could not say.

By Mr. Clarke :

750a. You say you voted for the Act. After having had three years' experience of it, how did you vote?—I voted for its repeal.

751a. You did not consider that it was a success?—It is not the thing at all.

752a. Was it doing any good?—I think it did harm.

CHARLES H. FRENCH, of Brockville, on being duly sworn, deposed as follows :—

By Judge McDonald :

753a. You reside in Brockville?—Yes.

754a. How long have you resided here?—Forty years.

755a. You resided here, then, before the Scott Act came into force, during its continuance, and since?—Yes.

756a. Were you a supporter of the Act?—Yes.

757a. You are favourable to prohibition?—Oh, yes.

758a. You favour total prohibition of the manufacture, importation and sale?—That is what I believe in.

759a. How did you find the Scott Act carried out in this section of the country?—Not very well.

760a. You, yourself, were interested in its being carried out?—I was very anxious that it should be carried out.

761a. To what do you attribute the difficulties in connection with it?—The indifference of the officers who had the enforcement of the law, and a great deal the indifference of the people to assist the officers. I found that was one of the great drawbacks. The officers did not appear to take any interest in the enforcement of the law, whose business it was to enforce the law.

762a. Were they reflecting the sentiments of the community generally, do you think?—A portion of it.

763a. A majority or a minority?—A minority.

764a. You think the majority favoured the enforcement of the law?—Yes, they did in a way. They were anxious that it should be enforced, but were not willing to do as much as they ought to do to assist in enforcing it.

765a. Do you think that under the Scott Act, as it was enforced, the state of things was better than under the license law?—Oh, yes. I could notice a great deal in favour of the law, even as it was carried out.

766a. Did you find that there was less drunkenness?—Yes.

767a. Was there much sale of liquor going on?—Not much openly.

768a. Were there more places for the sale of liquor?—No.

769a. What places was it sold in?—The places where it had been sold before. There did not appear to be any new places. I heard a great deal about such places, but never saw any.

770a. You had enough interest to look about you to see how the law was being observed?—Yes; I had a good opportunity to see, and took every chance to find out.

771a. Did you notice whether there was an increased consumption of liquor in families?—No, I never saw any signs of liquor about houses, and I am about a great many houses. I never saw any more signs of liquor then, than since or before.

772a. Did you ever speak to officers, urging them to enforce the law?—Yes.

773a. What answer did you get?—They would—they were going to.

774a. Did it end there?—Yes, pretty much ended that way.

775a. The Police Magistrate informed us to-day that there was a system here by which, when men were fined once and then proceeded against a second time, people would come forward and say they had leased the bar, so that they could never get beyond the fines. Did you see anything of that?—I saw several instances where it would be handed down from the proprietor to the bar-tender, and from the bar-tender to the hostler and several other parties, so that, as I understand it, they might not come under the second or third offence.

776a. Then, taking the law as you saw its operation, you think it could have been more efficiently enforced?—Oh, yes, but it did a great deal of good, even as it was enforced.

777a. Taking the state of things that existed under the Act and the state of things at present, which do you prefer?—I would prefer the Scott Act. Men will not sell liquor with the same freedom under the prohibition law as under license.

778a. Did you attend court when the trials were on?—Only once or twice.

779a. It has been stated here that witnesses had very bad memories?—Yes, the evidence appeared to be misty. They did not remember very well the dates and things of that kind.

By Rev. Dr. McLeod:

780a. Sometimes, I suppose, the law was better enforced than at other times?—Yes, after there would be one or two hauled up they would be cautious for a time, and then they would go back.

781a. And you think that since the repeal of the law the condition of things in the town under license has not improved?—Oh, no.

782a. Do you know whether there are any unlicensed people selling in Brockville?—I do not know of any, that is, who are in the habit of selling for money.

783a. Do you know whether the licensed men observe the various prohibitions of the license law—that is, whether they sell after hours or on Sundays?—Yes, they sell on Sunday.

784a. You think there is no doubt about that?—Not the slightest.

785a. Are they ever arraigned for that and convicted?—Not very often.

786a. They are not interfered with?—No, they have not been interfered with for some time.

787a. Do you think the drinking habit is increasing in the place?—No, I cannot say it is; it is about the same. There is not so much violent drunkenness as there used to be; but there is more continual drinking—moderate drinking.

788a. Was there as much drunkenness under the Scott Act as there is now?—No.

789a. And, notwithstanding that the law was not very well enforced, you think it was better than license?—Yes, much better.

790a. When the people voted to repeal the Scott Act, do you understand that they voted their disbelief in general prohibition?—No. People who had previously voted neglected to go to the polls; there was that amount of indifference. But the liquor men went out to a man, that is the great majority of them, and the other people, the better portion of the people, did not go out; they stayed at home and let it go by default.

By Mr. Clarke:

791a. How do you account for that apathy?—One reason, I think, was because the Act was not as successful as they thought it would be; it did not come up to their expectations. They did not wait to reason why it did not, but they said it was not any use because it had not done everything.

792a. Would it be reasonable to say that they preferred the license system to the Scott Act?—No, I don't think so.

793a. And yet they were so apathetic that they did not vote at all?—No, they did not vote.

CHARLES H. FRENCH.

794a. The liquor sellers strongly opposed the Act on every occasion?—Yes, every time.

795a. Who aided the liquor sellers to repeal the Act?—Well, men who are in the habit of drinking and laying around bar rooms.

796a. If its advantages had been apparent to the citizens and to the people of the county generally, would they not have been likely to sustain the Act?—Of course they should have, but they did not, simply, I think, for the reason I have stated, that it had not done all they thought it ought to have done.

797a. Were there any radical defects in the Act that ought to be mended, do you think?—No, I think that law with a radical enforcement, would be successful, as far as that law goes.

798a. Would the appointment of officials by the Dominion Government or the Provincial Government or the municipalities be an improvement on the old method of enforcement?—I do not imagine that the appointment of the officers by either Government would make very much difference. As far as I can see, it is used too much for political purposes.

799a. One gentleman expressed the opinion to-day that the enforcement of the law should be left to the municipalities, as there is not so much party politics in municipal matters?—I think it would be better if the officers were appointed by the people in each municipality.

800a. By the Council or by the vote of the people?—By the vote of the people.

801a. The Police Magistrate this morning testified that he thought the Act was better enforced here than in any other town in Ontario?—I do not know as to any other town, but I think it did a great deal of good.

802a. And yet, notwithstanding the fact that it did a great deal of good, in your opinion, it was allowed to go by the Board and be wiped out?—Yes.

By Rev. Dr. McLeod :

803a. Do you think the defiant course of the liquor sellers here and throughout the counties rather terrorized certain timid temperance people—for instance, we have heard of fires and dynamite and things of that kind. Do you suppose that had any effect?—It did not on me.

804a. Do you suppose it had on some people?—I did not hear of any circumstance of that kind here. I heard of a good many people who would not come out as strongly as they should for fear of losing the trade of the liquor men; but as for any harm, I never felt that there was any danger at all.

805a. Was it not the case that there were some buildings burned, perhaps in some of these counties, and that the burning was attributed to the liquor men—the buildings of people engaged in enforcing the law?—I do not know but that was the case in some places.

By Mr. Clarke ;

806a. Would not conduct of that kind rather incite people to come out and enforce it vigorously?—With some it would, but a great many people are easily frightened.

JOHN M. GILL, of Brockville, on being duly sworn, deposed as follows :—

By Judge McDonald :

807a. You reside in Brockville?—Yes.

808a. You are President of the James Smart Manufacturing Company?—Yes.

809a. You are a large employer of labour?—Yes.

810a. How many men do you employ?—I think about 250 hands.

811a. Are you favourable to prohibition as a principle?—Yes.

812a. And the passage of a prohibitory law?—Yes.

813a. You would prohibit the manufacture, importation and sale?—Yes, as a beverage.

814a. Would you allow the manufacture or importation of liquor for mechanical, medicinal and sacramental purposes?—Medicinal and mechanical purposes.

815a. Not for sacramental?—No.

816a. We are told that there is a revenue to the Dominion from the liquor traffic of six or seven million dollars. Have you, as a business man, considered how this revenue would be made up in case of the passage of such a law?—Not sufficiently to answer that question.

817a. Suppose such a law were passed, do you think it could be successfully enforced?—It could be enforced; but under existing conditions I would be fearful as to its being perfectly enforced.

818a. Why?—Because of the immense influence of the liquor interest.

819a. Do you think the position of the country, its long frontier, and the facilities of bringing liquor in, would interfere with its proper enforcement?—I do not anticipate much difficulty from that. I think that could be prevented.

820a. Would you have officers specially appointed for the purpose of enforcing the law?—Yes.

821a. By what power would you have them appointed—the Dominion, the Provincial, or allow each locality to select its own?—I have not given the matter thought; but it strikes me that the locality should appoint its own.

822a. How would you provide for the payment of those officers—the same as other officers of the community, such as police officers?—Yes.

823a. In case of the passage of such a law, would you favour a remuneration to the brewers and distillers for the plant and machinery that would be rendered useless?—To a certain extent I would.

824a. You supported the adoption of the Scott Act?—Yes.

825a. Did you support it at the time the vote was taken on the question of its repeal?—Yes.

826a. Did you think its effects were beneficial to the community?—Yes.

827a. In what way? Do you think there was less liquor sold?—Yes.

828a. And that it was promotive of temperance?—Yes, I think so.

829a. How do you account for the repeal of it?—Owing to the fact that it was not as rigorously enforced as some expected, I think the people became somewhat lukewarm. There were those who supported it who were not, strictly speaking, teetotallers themselves, but who felt that it would be wise to give it an opportunity; and as they found that there was a certain amount of liquor sold and a number of intoxicated people, they concluded that it was not enforced as they thought it should be. I think that was the reason.

830a. Do you think it was enforced to the extent that the community had a right to expect?—I think it was not.

831a. To what do you attribute its non-enforcement?—To the large influence of the traffic.

832a. Upon whom?—I think upon the legislators of our country.

833a. To what do you attribute the non-enforcement in the community?—To the lack of special officers for that purpose. As far as I could observe, the matter was left very largely, at least partially to individual effort, and the specially active temperance community appeared to have the responsibility of looking after it in a measure.

JOHN M. GILL.

834a. There was a Scott Act Committee at the time the Act was adopted, which was superseded by the Board of Commissioners, and the fines were devoted to the enforcement of the law. Do you believe the authorities endeavoured faithfully to enforce it?—I have my own opinion, but I hesitate to give it. I would not like to make imputations.

835a. We find that there is a large surplus left from the fines which might have been used for the enforcement of the law. Do you know whether any attempt was made to get more officers to enforce it?—No, I have no recollection.

836a. As a supporter of the law did you endeavour to get more officers?—I have no recollection of doing so.

By Rev. Dr. McLeod :

837a. As an employer of labour, do you believe that the prohibition of the drink traffic would be an advantage, not only to employees, but to yourself as an employer?—Yes.

838a. Are you much troubled with the drinking habits of your employees?—More or less. Not so much as we have been.

839a. I suppose you are careful to employ as much as possible, men who are not given to drink?—Yes.

840a. Do you observe that drinking employees lose more or less of their time through drinking?—Yes.

841a. And that is not only a loss to themselves, but a disadvantage to the business?—Yes.

By Mr. Clarke :

842a. It appears that there were in the treasuries of the town and county some thousands of dollars, the proceeds of fines imposed on the violators of the Scott Act. Was there any good reason why, if the town and county desired to have the Act more rigidly enforced, they did not take advantage of those funds to employ special officers to go on and run out this illicit traffic?—I am not in a position to answer that question. A portion of that fund was the property of the town.

843a. It was given to the town for the purpose of aiding the town in enforcing the law?—Well, the town was paying certain officers to see that the law was enforced, and they may have thought that was sufficient.

844a. They took the same Scott Act fines to pay the police instead of employing special officers. How do you account for the fact that they did not take this money, which was practically found money, and employ special police and special Inspectors to drive out the traffic. Can you give any explanation of that?—I could not, unless it might be that the authorities of the town supposed that there was sufficient diligence being exercised. I cannot tell just why they did not do so.

845a. Was there any feeling or desire on the part of the municipal authorities of the town or county to utilize the money to aid them in reducing taxation?—I do not know. I would not think so.

846a. How can you account for the money having been misapplied instead of being used to rigidly enforce the Act and strengthen the hands of those who had voted for it in the first place in order to give it a fair trial?—It is a matter I never looked into; but it certainly looks a little strange, unless it be that the authorities themselves who were handling the money felt that there was a sufficient force in the field to look after it, and felt that the law was sufficiently enforced; for there were those who thought the law was fairly enforced.

By Judge McDonald :

847a. Did you think so?—No, I did not.

848a. Do you think this was the reason, that there was a desire to run things smoothly, without offending anybody too much?—Well, I have felt that all along, that the difficulty has been in all these matters the very great influence of the liquor traffic in all matters pertaining to the legislation of the country.

849a. Do you think it comes into municipal politics too?—I do.

By Mr. Clarke :

850a. But the people had decided against the liquor traffic by adopting the Scott Act, and it was to remain in force three years, and during that time these fines piled up. If there had been a desire by the people of Brockville to have the Act rigorously enforced, would it not be reasonable to suppose that the temperance people would have urged upon the Council to use the money in employing special officers to help the police force in running down the traffic?—To do that effectually—assuming that the town authorities were appropriating this money as the temperance people or the majority of them wished—it would be necessary that a certain time should elapse after the passage of the Act before anything could be done to ascertain its working. A year might very easily pass; a new Council would be in power; probably that year passes; in the meantime the feeling would be in the minds of some that the Scott Act was a failure, because they had not seen it fully enforced, or that all the good they had hoped for had not been accomplished, and it would not be impossible to suppose the Council being returned a third year under such circumstances; and there may have been other matters coming up that would prevent any great prominence being given to the temperance question. It may be that people more or less felt as I suppose any moral reformer does in time; they may have wearied. It is a difficult matter for a few gentlemen in a town to keep their shoulders right up against a wheel and support it continuously; they may get tired. It is a difficult matter for me. I have my own mind as to why the Act has failed, but I do not feel justified in stating it, as it would perhaps in a measure be imputing motives to others that I dare not do. The Act itself in my judgment unquestionably did good. There were men in our employment that kept sober during the Scott Act period who had been heavy drinkers, and who have since been drinking because the saloons are open and they are unable to pass them. I have in my mind one man who saved considerable money during the time of the Scott Act and became connected with one of the churches through the influence of the minister. Almost immediately on the repeal of the Scott Act—the clergyman had left town in the meantime—that man began to drink, and I certainly thought he would drink himself into the grave. To-day he is sober, but I never know how long he will continue so. To my mind that man's value alone as a citizen of the town is worth a great deal more than the liquor dealers would make out of the town. In our business we endeavour to give all the encouragement we can to those who are total abstainers. In the case of the heads of our departments, almost without exception, everyone is a teetotalter and non-smoker. I did not know that was the case until the other day, and I was a little surprised to learn it. I regret exceedingly that I am unable to give such information as I would like to give.

The Commission adjourned, to meet at Peterborough.

PETERBOROUGH, October 4, 1893.

The Royal Commission on the Liquor Traffic met here this day at 10 a.m.

Present :

JUDGE McDONALD.

REV. DR. McLEOD.

MR. E. F. CLARKE.

JUDGE McDONALD.—The sitting of the Commission for this place is now open. Her Majesty's Commission having been read at Brockville, on Monday, on the opening of the inquiry in the Province of Ontario, we will dispense with the reading of it here. The Chairman of the Commission, Sir Joseph Hickson, has not yet returned from Europe and therefore cannot be with us to-day, and Mr. Gigault, one of the members of the Commission, is also unable to be with us at Peterborough. The other members of the Commission are here. I may state also, to prevent any misapprehension, and also perhaps to save time, that at the commencement of its work the Commission decided that inasmuch as its members were unanimous as to evils of drunkenness, there was no necessity of calling testimony for the purpose of proving that drunkenness is an evil. Taking that for granted, we desire to obtain evidence as far as possible within the scope of Her Majesty's Commission. The system we have followed in the different places we have visited is to call first on the chief magistrate of the city or town, and I will now ask His Worship the Mayor of Peterborough, if he is present, to kindly come forward.

MR. C. W. SAWERS said :—Mr. Chairman and gentlemen, I rise to say that I appear here before you as the representative of several of the temperance lodges and of the advocates of prohibition in the County of Peterborough, and on their behalf to extend to you a most hearty welcome to this county. You are engaged on one of the greatest if not the greatest question that has agitated the minds of the people of Canada—one that has been before them for many years, and is rapidly becoming one of the live political issues of the country. My clients are most anxious to assist you in every way in their power, so that your investigation may be of the most far-reaching character. I should like to know if I shall have the privilege of calling witnesses and examining and cross-examining.

JUDGE McDONALD.—With regard to the first part of your remarks, Mr. Sawers, on behalf of my brother Commissioners and myself, I may say that we heartily respond to the cordial welcome you have given us on behalf of the temperance organizations of this part of the country, to your beautiful town. I know of no place where the surroundings of the courts of justice are more beautiful, and the business and manufacturing interests of Peterborough are known throughout Ontario and other parts of the Dominion. With regard to the question you have raised, I may say that the line of action the Commission has adopted in other parts of the Dominion has been to hear testimony which is put forward in the line of the various subjects of inquiry contained in the Commission itself; but the right of examination and cross-examination we have found it necessary to reserve to the members of the Commission, always permitting gentlemen representing interests, as you do, to submit through the Commission any questions they think proper.

REV. DR. McLEOD.—And to suggest the names of any witnesses they may wish to have examined.

MR. W. E. FEE stated that, at the request of Mr. Spence, he appeared on behalf of the Dominion Alliance for the suppression of the Liquor Traffic.

EDGECOMBE PEARCE, of Peterborough, Clerk and Treasurer of the County of Peterborough, on being duly sworn, deposed as follows :—

By Judge McDonald :

851-2a. Where do you reside ?—In Peterborough.

853a. What is your official position ?—Clerk and Treasurer of the County of Peterborough.

854a. How long have you resided in Peterborough ?—Upwards of thirty years.

855a. How long have you occupied the official position of Clerk and Treasurer ?—I was appointed Clerk in 1867 and Treasurer in 1870.

856a. We understand that the Canada Temperance Act, commonly called the Scott Act, was in force in this county for three years ?—I do not know that it was in force. It was adopted by the people.

857a. Was it subsequently repealed ?—I do not know, but it was just dropped.

858a. Is it in force now ?—No.

859a. And during the time it was in force, you held the official position you now hold ?—Yes.

860a. Under the Order in Council of the Dominion Government, all fines imposed for violations of the Act were to be paid to the County Treasurer for the purposes of the Act ?—Yes.

861a. Under that Order in Council were all the fines paid to the Treasurer of the County of Peterborough ?—Yes.

862a. Have you got a statement showing what was paid to you during each of the three years the Act was in force ?—I have not, but I can prepare one.

863a. How were those fines disposed of ?—They went into the general funds of the county.

864a. Were you served with requisitions from time to time upon the part of the License Commissioners or the Provincial Treasurer to furnish moneys required by them ?—Oh, yes, I placed large sums to the credit of the Commissioners.

865a. Estimates were furnished to you of the sums needed ?—Yes.

866a. And these were paid out of the general fund ?—They were paid without reference to the fund. These special moneys were not funded for that special purpose.

867a. In the county we were in last, the Treasurer kept a Temperance Act fund separately from the others ?—We did not do that.

868a. Had you a County Magistrate appointed ?—I think Dr. Dumble, the town Police Magistrate, acted at that time for both county and town.

869a. Was a special salary paid to him ?—Yes, we paid a salary to him as County Magistrate. He was appointed under that special provision which could be rescinded at any time.

870a. During the time that Act was in force you resided in the town of Peterborough ?—Yes.

871a. As a citizen, had you an opportunity of observing how the Act itself worked ?—I cannot say I had much opportunity of that kind, because I hardly ever enter a tavern.

872a. From your observation as a citizen, do you know whether it decreased or increased drunkenness ?—I have heard people say it has increased drunkenness, but I do not know myself.

873a. You are not able to say, then, whether the effects were beneficial to the community ?—That is a wide question.

874a. I mean your opinion, formed upon observation ?—As I have informed you, my observations, so far as drunkenness was concerned, were very limited, because I was not where it was supposed to be.

875a. You made a remark to the effect that when the vote was taken for repeal the Act had run out itself ?—That I never paid any attention to, because I understood that it was dead virtually before it was repealed.

876a. How do you mean that it was dead ?—It was said that people sold and were fined.

EDGECOMBE PEARCE.

By Mr. Clarke :

877a. They sold, of course, contrary to the provisions of the law?—That is only from hearsay.

878a. And the sale was illegal?—I suppose it was.

879a. Were sales going on generally throughout the town?—I will give you an illustration. I had business with a farmer, whom I understood I would find in a hotel. I found him there in the bar-room which was only separated from the public street by green swinging doors; and before I could get his attention I saw him fill up from a pump half a dozen glasses, which did not look as if the law was enforced.

880a. Was the law generally disregarded?—That I could not tell, because I did not go around.

881a. What was the general opinion in Peterborough?—The opinion of those whom I heard express an opinion was that the law was a farce.

882a. Were there any obstacles in the way of the enforcement of the law? Were there appeals taken against convictions which paralysed the hands of those who desired to see the law enforced?—I do not know.

883a. In other places it was represented to us that there had been appeals against convictions, and that while those appeals were pending, there was a cessation of prosecutions?—That might be the case; I do not know. I took very little interest in it.

884a. You cannot speak from personal knowledge as to whether the sale was general throughout the county and this city or not?—Oh, no; it is just from what I have heard. I do not know personally.

885a. Do you know by what vote the repeal was carried?—I did know at the time. I could not say now.

886a. Did you notice any improvement in the town during the time the Scott Act was in force, as compared with the time before or since?—No, I cannot say I did.

By Rev. Dr. McLeod :

887a. You have a license system in force here now?—Yes.

888a. Do you know whether the law is well observed or not?—I have heard that it is fairly observed.

889a. There are in the license law certain prohibitions, such as sale within certain hours, on the Sabbath, and to certain people. Do you know whether the licensees observe those provisions of the license law or not?—I never knew of their breaking them.

890a. But you do not know that they have not broken them?—I think we have an officer here, Mr. Cochrane, who tries to see them carried out.

891a. Would your knowledge of the observation of the prohibitions of the license law be equal to or better than your knowledge of the observance of the Scott Act?—I suppose it would be about the same.

892a. So that you have actually very little knowledge of them?—Very little.

893a. Have you observed the effects of the drink traffic in a general way during your thirty years' residence in this vicinity?—Yes, in a general way.

894a. What is the result of your observations of the effects of the drink traffic and the drink habit?—I think there is a great deal less drinking. The town is a far more sober town than it was thirty years ago.

895a. Have you noticed that there is a different feeling towards the drink trade from what there was thirty or forty years ago? Is its status different?—I hardly know what you mean.

896a. I mean is the drink trade regarded with the same favour now that it was thirty or forty years ago?—There was always a class of people who regarded liquor selling as not a very respectable trade.

897a. Was that feeling increased in the thirty years?—Well, I do not know. It may have; I am not sure. I know there is a feeling in favour of sobriety and not getting drunk.

898a. I suppose that thirty years ago there was a number of people who regarded the drink trade as a dangerous trade. Does that feeling exist to-day?—You mean the man who deals with it? I do not understand what you mean by a dangerous trade.

899a. I want to know if the attitude of the general public towards the drink trade now as to its danger to the community, as to the evils it may or may not produce, is as it was thirty years ago, or whether there is more of that feeling—from your observation?—There is more feeling, I suppose, when a thing is more agitated; it shows that people are more alive to it. There is certainly more agitation in public meetings now than there was thirty years ago. I do not think there was any agitation thirty years ago, or very little.

900a. Have you observed at all what the effect of the drink traffic, as it has been carried on has upon the social conditions and the moral welfare of the people—whether the effect has been good or bad?—I have never thought about it. There is no doubt that if a man gets drunk, it has a bad effect on his morals. The general effect of the traffic, of course, is bad to those who use it badly.

901a. Have you observed what effect the drink traffic has on other branches of business?—I am not in business.

902a. And have not observed that?—No.

903a. Have you observed in your connection with the courts whether the drink habit has any connection with the crimes that come before the courts?—I have read in the newspapers, but I do not enter the courts unless compelled to do so as a witness.

904a. And have not personally observed anything of that kind?—No.

By Mr. Clarke :

905a. Was there any evidence that the Scott Act, during its term here, aided the temperance people in promoting temperance in the community?—If you ask me what I observed, I cannot say much about it. What I heard was that the Scott Act was not enforced—that it was treated in many cases as if there was no Scott Act at all—that the traffic went on, and liquor was retailed as much as ever.

906a. What is the general effect on a community of having a law such as the Scott Act on the statute-book and not enforced?—I suppose it has a tendency to bring law into contempt.

907a. That would not have a beneficial effect, then, in promoting temperance?—No.

908a. The general opinion was that the law was not enforced?—I do not say the general opinion. I heard a great many opinions.

909a. Did you ever hear that it was well enforced?—I do not know that I ever heard that it was well enforced.

By Rev. Dr. McLeod :

910a. I understand that any opinions you express are based on hearsay rather than on personal knowledge?—Yes.

ROBERT GRAHAM, of Lakefield, merchant, on being duly sworn, deposed as follows :—

By Judge McDonald :

911a. What is your residence?—Lakefield.

912a. What is your business, calling or occupation?—General store-keeper.

913a. We understand that you hold an official position as a License Commissioner, under the Ontario License Act?—Yes.

914a. How long have you held that position?—I think about seven or eight years.

915a. Did you hold office as a License Commissioner during the time the Scott Act was in force?—Yes.

916a. And before and since?—Yes. A little before that.

917a. During the currency of the Scott Act the licenses which your Board issued were what are called druggists' licenses?—Yes.

EDGECOMBE PEARCE.

918a. I suppose they were not always committed to druggists?—Mostly. I think in our case they were all druggists.

919a. During the time the Scott Act was in force, how were the funds obtained that were necessary for the purpose of carrying out the Act?—The funds came along through the druggists' licenses.

919½a. Had you no other means of income?—Not that I am aware of, except fines.

920a. Did you obtain from the County Council, by requisition either from yourselves or from the Provincial Treasurer, such amounts as you needed out of the fines fund?—It is so long since that I do not remember. I have been engaged in business, and have not taken down these items, as I might have done. I think that was the way, but really on my oath I cannot recollect it positively just now.

921a. Who was your Inspector?—Mr. Cochrane.

922a. He received a salary?—Yes.

923a. Had you any assistant for him?—No.

924a. Was your Board charged with looking after the enforcement of the law?—Certainly. The Inspector was under our direction to see that the Act was enforced.

925a. Was he directed by you to see that the Act was enforced?—Yes.

926a. Is he an efficient officer?—I consider him a very efficient officer.

927a. You believe he did his duty?—I believe he did his duty.

928a. Is Lakefield an incorporated village?—Yes.

929a. What is the population?—I think in the neighbourhood of 1,400.

930a. Have you any licensed houses there?—Yes, we have four.

931a. Had you any before the Scott Act was in force?—Yes.

932a. The same number, or more or less?—I would not say but it was three perhaps.

933a. During the currency of the Act had you reason to believe that any sale took place in Lakefield?—I think a little was sold, but very little.

934a. How many places would you suppose were engaged in it then?—I do not know; it would be very hard for me to say. I never saw any sold in any one place, but of course hints were given that there might be. There was one, it was said, did not sell any.

935a. I suppose persons engaged in the sale would be hardly likely to invite your attention to it?—I do not know that they would. But I believe that on the whole the Act was well enforced in Lakefield.

936a. How about the county at large?—I believe in the county at large too, even in Peterborough, where there were a number of places. I believe on the whole the Act was well enforced while it was in force.

937a. Your Inspector and your Board honestly made an effort to make the law a success?—Oh, yes, there is no doubt about that.

938a. And you think you succeeded?—I think so.

939a. I find that on the 26th of September, 1885, there were polled in favour of the Act 1,915 votes, and against it 1,597, making a majority of 318 in its favour; and that on the 4th of April, 1889, the question of its repeal was voted on, when there were polled in favour of the Act 1,564 votes, and in favour of repeal 1,926, or a majority of 362 in favour of repeal. How do you account for the change in opinion?—Well, I suppose it came about in this way: At the time the Scott Act was in force a great many were lax and did not take that interest in it that perhaps they should have done; that is, the opponents of the Act thought it might be well to have it tried; it might perhaps be a good thing; and at the time of the repeal the Antis did their best, raised everything they possibly could to repeal the Act. I believe that accounts for it.

940a. Do you think there was a laxity on the part of those who had previously favoured it?—I think so.

941a. What created that laxity?—I suppose that there were places that had no right to sell liquor where liquor could be got, and I believe that made a great many careless. They found places cropping up where a small keg of ale, perhaps, could be got.

942a. Do you think the Act had not produced the results they had expected it would when they voted for it originally?—I suppose that was about the conclusion they came to.

943a. As a citizen, apart from your official position, do you believe the Act was beneficial throughout the county?—I think it was. I think we are feeling its good effects to-day.

944a. Have you observed, during your residence in the county, whether there has been a growth of temperance sentiment in the community?—Decidedly.

945a. It has been a steady growth?—A steady growth.

946a. Is it growing to-day?—Yes. There is a great temperance growth, I find, in our community.

947a. Have you temperance societies at work?—We have temperance societies, but I do assure you that the temperance societies do not get the support of the men who should give them their support, I do not wish to say a single word that would injure a minister; but I have found in my experience that ministers will give good temperance sermons occasionally, but if you want them to help in any organization they show the cold shoulder. They are not there perhaps to help the temperance sentiment as much as they might.

948a. How about the societies?—We live in an age of societies, and it is hard for the best men to attend every society. You would think at the present time that there is a meeting of some kind every night in the week, and it is hard to get societies kept up.

949a. Do you not think that the influence of the different religious communions and the temperance societies during these past years has had a good deal to do in shaping public opinion?—I think it has.

950a. You find a generation of children growing up now in very different circumstances from what formerly existed?—I think so.

951a. In case of the enactment of a prohibitory law preventing manufacture, importation and sale, would you deem it right that brewers and distillers should be remunerated for their plant and machinery that would be rendered useless?—That is a difficult question. I don't think it would be well for me to give you an answer to that question.

By Rev. Dr. McLeod :

952a. Just what were your duties as Commissioner under the Scott Act?—Our duties were to receive applications for licenses, to give licenses to those whom we considered worthy, to receive the fees, and to look after the business generally in the county.

953a. That was under the Scott Act?—Yes.

954a. That is, the vending for medicinal and other legitimate purposes?—Certainly.

955a. Under the License Law your duties are the same?—Much the same, only we have a great many more licenses to grant now.

956a. Is there any limit of the number of licenses to be granted?—Certainly.

957a. Is it limited by population?—Yes. In a village or town four licenses may be granted for the first thousand, and then after that one more may be granted for every four hundred.

958a. And then you have a local option feature by which a community may determine not to have any licenses at all?—Certainly.

959a. An applicant for a license must have a petition signed by a certain number of ratepayers in his district?—Yes, that is for a new license.

960a. Not for an old one?—No.

961a. For instance, if a man who now holds a license makes application to you for a continuance of that license, for another year, he does not require the petition?—No.

962a. May there be a petition against him?—Yes, certainly there may be.

963a. Suppose a man comes to you making an application for a license, who is not now a holder, and brings the necessary number of petitioners, is anything left to the Commissioners?—Yes, it is left to the Board to say whether he shall have a license or not, even after he has all the accommodation and the proper number of signatures.

964a. And it is the duty of the Inspector to keep an eye on all these licensees?—Yes.

965a. And report as to violations of the law?—Yes; and he is the prosecutor.

966a. Has it come to your knowledge as Commissioner that there is any considerable violation of the provisions of the license law?—No, not particularly. There is one

ROBERT GRAHAM.

who has not perhaps been acting up to the Act as well as we would like. Still, on the whole, the houses are well kept.

967a. There are some violations, however?—Certainly there are. The Sabbath law is violated sometimes.

968a. After men repeatedly violate the Sabbath provisions, are their licenses continued?—No. We do not want to encourage them by giving license after license to a man who is in the habit of violating the law.

969a. Is it done?—It has been done, but not often.

970a. Why is it done?—Sometimes owing to the circumstances of the man. He is perhaps a poor man, and has perhaps had a considerable amount of money, and he has his all invested in this business, and some pity will creep in. Then, sometimes a large petition of friends, perhaps both for and against in politics, will be brought, and it is a hard matter to get over these things.

971a. Are we to understand there is some politics in the matter?—Oh, no. As far as the Commissioners are concerned there is no politics.

972a. But political influences are brought to bear to continue a license to a man, even after he has violated the law?—No. Perhaps you are just catching a little further than I mean. Of course every man in this country votes, and he votes for either one party or another. Well, a man will say: "I have got into a scrape, and I must get all my friends to help me"; and it may be the one party or the other party, but when a man comes along with the signatures of both parties, and one as readily as the other, it is a hard matter to refuse. But we have had very little of that to contend with. One case I have in my mind, that is the only one.

973a. Are we to understand, then, that there has come before you officially only one case of the violation of the prohibitions of the license law?—One case where a petition of this kind has come before us.

974a. But there are frequent violations?—Of course there are, but not very many.

975a. And fines are imposed?—Certainly.

976a. Do you suppose the violators are all known and prosecuted, or to any considerable extent?—I think they are, on the whole: that is my opinion.

977a. Have you reason to believe, from the knowledge that comes to you as an official, and otherwise, that there is a somewhat general disregard of the prohibitions of the license law, such as the sale after hours or on Sunday, the sale to minors, Indians, drunken men and the like?—I think not.

978a. You think, then, that the licensed men do observe the prohibitions of the license law?—I think so, on the whole.

979a. Do you know, then, whether men who are holding licenses are the men who, during the time the Scott Act was in force, violated that Act?—I do not think there are many who have licenses now that violated the law while the Scott Act was in force.

980a. What has become of them?—They have gone out of the business, the great majority of them.

981a. There are four licensed places in Lakefield, with 1,400 people; you live and do business there; have you observed the effects of the licensed trade on the business interests of that small community? Are they good or bad?—I do not think, speaking as a citizen, that there is anything really wrong in the License Act. The temperance sentiment in Lakefield is sound and good, and the hotel men, I think, are really the sufferers. I do not think they are making any money.

982a. Does the fact that they are selling by license contribute to the business success of the town?—No, I do not think it does.

983a. Does it interfere with the business prosperity of the town?—No, I do not think it does.

984a. Does it affect the social conditions of the town?—Where there is excessive drinking, it will always affect the social conditions of the community.

985a. Where there is a licensed trade, have you found that there is excessive drinking?—I have always considered that the more hotels the more drinking.

986a. Have you considered what effect these licensed hotels have on the moral condition of the community?—I think that to-day we are in a much healthier state than

we have been. I do not think there is so much drinking, and as far as morals are concerned, we are better than we have been.

987a. Better under license than you would be without it?—No, I do not think so.

988a. You say there has been a great improvement in the habits of the people, attributable to religious and moral influences. Do you think the licensed liquor trade is a helper of religious and moral organizations in producing this improvement?—I would not like to say that. As I said, I really think we are better to-day, after the influence of the three years that the Scott Act was in force.

989a. You really think you are feeling the effects of that now?—Yes, I really think we are better.

990a. You think the delegalization of the trade for three years had and is still having a good effect?—I think it is.

991a. As a business man doing a general business, do you observe that the drinking habits of certain people, they may be few or many, affect them as to their purchasing power?—I do not think there are many in Lakefield that drink to the extent that it would affect them.

992a. Such as do drink does it affect their purchasing power?—Undoubtely it will.

993a. Does it affect their promptness in paying and injure their credit?—Certainly it will.

994a. Then the drink traffic and the drink habit, in so far as it has those effects, is not good?—No, it is not.

995a. Do you understand that the people of this county, in repealing the Scott Act, were expressing their feelings against general prohibition?—No. There were a great many who voted against the Scott Act who said, "I will vote against the Scott Act, but give me prohibition pure and simple, and we will all go for it."

996a. Have you given the question of national prohibition any consideration, as to what effects it would have on the business of the country at large?—That is a little deeper than I would like to go. It would affect things very materially, perhaps in a way that we do not think of at the present time. But, away from money concerns altogether, I believe that if we had prohibition pure and simple to-day, it would be better for our country.

997a. You think national prohibition is a desirable thing?—I believe it would be.

998a. Do you believe that would improve the social conditions and morals of the people?—Yes, that is my experience.

999a. You do not care to state what its effects would be on business generally?—No, I do not. There is a great amount of revenue coming from the liquor traffic that the country seems to need, and there is a point I do not care to touch upon.

1000a. Still you think, notwithstanding the difficulties that might attend that phase of the question, that it is desirable?—I think it is.

By Mr. Clarke :

1001a. What do you mean by national prohibition?—Prohibition throughout the whole country.

1002a. The manufacture?—Well, I suppose there would have to be a little made for medicine.

1003a. Apart from what would be required for mechanical, medicinal and sacramental purposes?—Yes.

1004a. Importation too?—I mean that if we all cease from drinking, we will not need to import any.

1005a. You understand by prohibition the abolition of the manufacture, importation and sale?—Well, you are putting words that I do not mean. That is going a little farther than I care for.

1006a. Would you prohibit the importation, manufacture and sale except for mechanical, medicinal and sacramental purposes?—That part of the question I have not studied sufficiently to speak intelligently on.

1007a. What do you mean by prohibition?—I mean prohibiting ourselves from drinking.

ROBERT GRAHAM.

1008a. There would be no occasion to enact a prohibitory law if all the people of Canada determined that they would not drink any more, and stuck to their determination?—That is it.

1009a. But there are different meanings given to prohibition. Do you mean prohibition as it exists in Maine, where the importation of liquor for individual use is not prohibited?—I am not just so strong on that as you would say. I believe that if we had a prohibitory law at the present time such as we have had, it would be better for the country.

1010a. What do you mean by a prohibitory law such as we have had?—The Scott Act was prohibitory.

1011a. Was it?—Yes, and I believe if we had prohibition, it would have a good deal the effect that the Scott Act had.

1012a. Is there any desire on the part of a reasonable number of the people of this town or county to have the Scott Act re-enacted?—No. Of course, prohibition is what is talked of now. There does not seem to be any desire to bring in the Scott Act again.

1013a. Notwithstanding its general effects?—No.

1014a. If the Scott Act were brought into general operation throughout the Province, would it not have the same effect as a prohibitory law for the Province?—Possibly it might.

1015. And I understand you to say that you believe the Scott Act was well enforced?—Yes, I believe that in the County of Peterborough it was as well enforced as it was in any county.

1016a. And in the town of Peterborough itself?—Yes, and even there they could get a little.

1017a. In the town was there an improvement, a decrease of drinking?—Oh, yes, decidedly.

By Judge McDonald :

1018a. Of course, in speaking of prohibition, we mean the passing of a law by authority of Parliament preventing the importation, manufacture and sale?—I believe, apart from the money question, that that would be best for the country.

1018½a. We are informed that the Dominion receives at present a revenue of between six and seven million dollars from the trade. How do you purpose to provide for that revenue?—That is the part I have not studied up.

1019a. Have you considered, in case such a law were passed, what authority should appoint the officers to enforce it—the Dominion, Provincial or municipal?—No, I have not.

1020a. So that you have not looked into these details?—No, I have not.

1021a. It is as a question of principle that you think a prohibitory law, if passed for the whole country and successfully carried out, would be beneficial?—I believe it would.

1022a. Can you tell me what the present population of the town of Peterborough is?—Somewhere about 10,000.

1023a. How many licenses would that entitle this town to have?—About twenty-three.

1024a. How many licenses are there in Peterborough?—About twenty-two hotel licenses and six shop licenses.

1025a. Are all these hotels required to have accommodation for travellers?—All except one.

1026a. That one is just a place for the sale of liquor for drinking purposes?—No, it is more for the accommodation of travellers on the Canadian Pacific Railway.

1027a. Where is it situated?—Near the Canadian Pacific Railway station.

1028a. Not in the station itself?—No.

1029a. Is the man confined to sale for travellers?—No. He has to pay an extra amount for this license. I think he pays \$370, while the tavern license is \$270, I think.

1030a. And the shop license?—I would not just be sure, but I think about the same.

1031a. This man has the privilege of keeping what is commonly called a saloon?—
A saloon.

1032a. From your experience do you think it is in the interest of the community to have a saloon pure and simple in its midst?—No, I do not think so.

1033a. As a Board of Commissioners have you power to prevent the granting of that license?—Yes.

1034a. Do the other members of the Board concur in your opinion as to the saloon not being beneficial?—Yes, I think they would with regard to this saloon.

1035a. It is likely to be cancelled, then, if you continue in office?—He has promised to have the other hotel accommodation, and that is the reason he is continued.

1036a. Then, you are continuing his license as an act of grace?—Yes.

1037a. Have you ever considered the question, if you had to have the saloon or the hotel alone, which in the interest of the community it would be better to have?—The hotel, decidedly.

1038a. You think the saloon is the more injurious?—Yes.

1039a. In some sections some people seem to think the other way?—Well, in a country like ours, so many people come in from the country that they want the hotel accommodation for themselves and their teams.

1040a. Some put forward this view, that young men and others who go to a hotel for business purposes, while there are exposed to the temptation to drink—men who would never go into a saloon. Taking that into account, which do you think is the most injurious?—I think when people go to a saloon it is in a general way to drink; but people go to hotels because they can get their meals and many other accommodations.

1041a. Taking it all in all, do you find that you have more applications for licenses throughout the county than you have power to grant? Do you have to reject some?—We have to reject some.

1042a. That is, more people apply for licenses in a particular locality than would be required for it?—Certainly there are.

By Mr. Clarke:

1043a. Was any difficulty experienced during the Scott Act period by farmers and travellers in getting the necessary hotel accommodation?—Sometimes they did complain of that—that they did not get accommodation they liked—that hotel men would sometimes shut up their yards and not let them in; but there was not much of that.

1044a. Have you had an opportunity of studying the effects of the operation of prohibitory laws in any other country than Canada?—No. I have heard a great deal said both for and against.

1045a. You have not made the study for yourself, and do not know what the effect of a prohibitory law has been where it has existed for a number of years?—No.

1046a. On the whole, I understand, you prefer the condition of things that existed during the Scott Act period to that which exists now under license?—Well, I am sure that the present license law, if we are to have a license law, is as good a license law, both for the community and the hotel men, as we could possibly have. But on the whole, I believe we would be just about as well without any.

1047a. But as compared with the condition of things under the Scott Act, which do you consider preferable?—Well, I believe it was better while we had the Scott Act.

1048a. Was there much importation of liquor for domestic use from counties adjacent to Peterborough during the Scott Act period?—I do not think it.

By Rev. Dr. McLeod:

1049a. Are there twenty-two *bona fide* hotels in this town of Peterborough?—I think so.

1050a. And only one saloon?—There are two saloons.

1051a. I have had it intimated to me that there are at least three?—There are not; there are two saloons. There would have been only the one, only that the men at the

ROBERT GRAHAM.

Canadian Pacific Railway hotel had not the accommodation ; that is the reason he got a saloon license.

1052a. How many shops ?—Six.

1053a. In what quantities are they permitted to sell, and under what conditions ?—Nothing less than three half pints.

1054a. Have you any reason to believe they sell by the glass ?—I do not think so.

1055a. Have any of them ever been charged with selling by the glass ?—No.

1056a. And it has not come to your knowledge officially that they do sell by the glass ?—No. I believe the law is very well enforced in regard to the shop licenses.

1057a. You do not think there is any drinking in those places at all ?—No.

1058a. I suppose the local authorities would know better about that than you ?—Certainly.

1059a. You spoke about petitions that came before you in favour of a man's license being continued, and intimated that there was some political friendship in the matter. Do the local members of the Legislature have a voice in the granting of licenses at all ?—No, none whatever.

1060a. The members do not have anything to do with the local Board of Commissioners either directly or indirectly ?—Neither directly nor indirectly.

By Judge McDonald :

1061a. You spoke of there being only two saloons. Have all the others the regular accommodations for travellers ?—Yes.

ROBERT E. WOOD, of Peterborough, Clerk of the Peace, on being duly sworn, deposed as follows :—

By Judge McDonald :

1062a. You reside in Peterborough ?—Yes.

1063a. You are a barrister-at-law, County Crown Attorney and Clerk of the Peace ?—Yes.

1064a. How long have you resided in Peterborough ?—Twenty years.

1065a. How long have you held your present position ?—Seven and a half years.

1066a. You were appointed, then, just prior to the coming into operation of the Scott Act ?—Yes, just prior to the Scott Act.

1067a. To you the record of convictions was returned by Magistrates ?—The law has been changed as to that. Under the new law the Police Magistrate makes his returns direct. I get them from the Justices.

1068a. You are not in a position, then, to tell us the number of convictions during the Scott Act period except those made by County Justices ?—No.

1069a. Have you those made by County Justices ?—I think there were only one or two by County Justices.

1070a. The Police Magistrate for the town had also a commission for the county ?—Yes.

1071a. There was also a County Justice appointed ?—Yes, George Edmison.

1072a. Did he make returns ?—Yes, to me.

1073a. Speaking as Crown Attorney, do you find that many of the cases you have to deal with arise from drinking habits ?—In the Sessions, during the time I have been County Attorney, I think there have been only two, perhaps three, that arose from drinking. In the County Judge's Criminal Court there have been more. It is very hard to find just what cases arise and what do not arise from liquor.

1074a. I suppose it is pretty hard to tell where the result of drinking begins ?—You can tell pretty nearly from the facts of the case.

1075a. Have you any statistics ?—I have a memorandum of the cases at the Sessions. There appear to have been twenty-nine persons tried at the Sessions since March, 1886.

Of these, one, or possibly two, were directly traceable to liquor. The cases included nuisance, bigamy, larceny, assault with intent to commit murder, false pretenses and housebreaking, assault, keeping house of ill-fame, felonious entry, and so forth.

1076a. Do you attend the County Judge's Criminal Court?—Yes, by his request. There are very few cases tried there, perhaps one or two in a year, sometimes perhaps none at all, the prisoners in most cases electing to be tried by the Magistrate.

1077a. From your experience as a citizen, how do you think the Scott Act was enforced here?—I do not think it was enforced at all. There were a great many cases tried and a great many fines collected; but the hotel-keepers had a scheme of transferring their business to other parties.

1078a. By what are called leases of the bar?—Yes, and all sorts of schemes to evade the law.

1079a. Was the effect of that to keep to first convictions?—First and second; and I have not any hesitation in saying it caused an immense amount of perjury among the witnesses, even by respectable people.

1080a. You have for some six or seven years conducted the criminal business of this county, and have been brought into contact with the administration of the law, and I suppose also with civil cases?—Yes.

1081a. Do you find a tendency, in what are called liquor cases on the part of witnesses, to commit perjury; greater than exists in other criminal cases and in civil cases?—Oh, yes, there is a greater tendency.

1082a. How do you account for it?—I have of course tried to form some idea of the cause of it, and I believe it arises from a sort of sympathy on the part of the person who has got liquor from a hotel-keeper—a feeling that it would be a mean thing to tell on him. I do not know that I can give any other reason than that.

1083a. We have heard from the last witness that the persons in the licensed traffic in this county carry out the law exceptionally well in the way of observing what are called the prohibition clauses of it. I suppose there are occasional cases of violation before the courts?—Oh, yes, from the town principally.

1084a. Do you find, in these cases under the license law, perjury committed to the same extent that it was in cases under the Scott Act?—Certainly not; and I find that where a man has committed an offence against the license law, he is more likely to own up and pay his fine.

1085a. Can you say whether, at the time the Scott Act was in force, the illicit sale was carried on by men who had previously been licensed hotel-keepers, or by others, or by both?—Generally by those who had been licensed, and others who started up some little shop just for the purpose of selling liquor, were more vigorously prosecuted than men who had their money in hotels.

1086a. How do you account for that?—I do not know what the reason was.

1087a. The last witness told us that his Board of License Commissioners and their Inspector had done their utmost to enforce the law. Why should there be a more vigorous prosecution of the men who started up these shops than others?—Because they were brought to the notice of the Commissioners by citizens.

1088a. Was there a certain amount of sympathy on the part of citizens with the men in the trade?—Yes, there was. They considered that they had their money in it.

1089a. A greater sympathy with them than with those who started up?—Yes.

1090a. In case of the enactment of a prohibitory law preventing the importation, manufacture and sale of intoxicating liquors for beverage purposes, would you deem it right that brewers and distillers should be remunerated for machinery and plant that would be rendered useless?—I could not offer any opinion on that at all.

By Mr. Clarke :

1091a. Comparing the present condition of things with that which existed under the Scott Act, which in your opinion as a citizen is the preferable?—The present.

1092a. Was there a general violation of the law in the town and county?—Yes, I think there was.

ROBERT E. WOOD.

1093a. Notwithstanding the efforts of the Inspector and the Commissioners?—I think the Inspector and the Commissioners did all they could to prevent it, but they found that they were met with so much false swearing, men swearing that what they had drunk was not whisky or that they did not know whether it was or not, that in most cases it was impossible to get a conviction.

1094a. And there was no difficulty in getting liquor during the time of the Scott Act?—Not a bit.

1095a. Do you know what was the amount of the fines?—No.

1096a. Or what was done with the money?—No.

1097a. Did the Scott Act prove an educator to elevate the community to a higher plane morally and socially?—That I do not know. In one respect it certainly did not.

1098a. In any respect did it do good? The gentleman who has just left us says the beneficial effects of the Act are still felt in the community. Is that your opinion?—I have not met with them. There is one thing I may say about the Scott Act. After the first year or year and a half of the Scott Act it was much more difficult to enforce it, because the Dominion Parliament passed a little amendment—on one noticed it when it went through—taking the fines away; consequently there was no fund out of which a local association could pay its way. If that had not been done the local association would have made a greater effort to enforce the Act.

1099a. Was there not an Order in Council passed, assigning the fines imposed for violations of the Act to the municipalities for the purpose of enforcing the law?—Yes, there was afterwards. But as the law stood when the Act passed the informer got half the fine under the general provision of the criminal law; and then an Act was passed taking that away, so that the local association had no funds except their own.

1100a. During the last year and a half, what was the condition of affairs?—Then the fines went to the municipality.

1101a. Did the municipality expend this money in vigorously enforcing the Act?—No.

1102a. What did they do with it?—They applied it to their own uses, I think the greatest part of it. The county had to pay the County Police Magistrate.

1103a. The fines in most of the counties, we understand, were more than sufficient to pay the expenses?—That I do not know.

1104a. What do you, as a jurist, think is the effect of having on the statute-book an Act like the Scott Act—that is flagrantly and constantly violated—a beneficial effect on the community or a demoralizing effect?—Apart from the Scott Act, I think it depends on the sound principle that legislation cannot be very much in advance of the view of the people. Any Act which has against it half the people cannot be enforced successfully, and is just the sort of statute which is likely to give rise to a great deal of perjury and ill-feeling in the community.

1105. Was the Scott Act a measure of that kind?—In some localities it would be.

1106a. In this locality?—That I cannot tell.

1107a. There was a majority of 318 for the Act when it was submitted first, and a majority of 362 in favour of its repeal three years afterwards; so that the community was apparently pretty evenly divided for and against the Act?—In that event it would be very difficult to enforce the Act, and if enforced I doubt very much if it would do very much good. It might prevent one evil and give rise to another.

1108a. Would it be fair to assume that there must be a very strong public sentiment behind the Act before it can be enforced?—I think that is the fact.

1109a. And that, without that, it could not be enforced?—Yes.

By Rev. Dr. McLeod:

1110a. Do you object to the prohibition of the traffic if public sentiment warrants it?—I would be in favour of it.

1111a. You spoke about the perjury committed in cases of violation of the Act. Do you think the Act is responsible for that perjury?—Well, I cannot answer that question. I only know it cropped up in those cases, and does not, to anything like the same extent, in other cases.

1112a. You scarcely think, then, that the Act causes the perjury?—Well, I suppose that persons who would be capable of committing perjury would commit it when the occasion arose.

1113a. Has it occurred to you that the parties who were called to give evidence in such cases, having been parties to the violation of the law, hesitated therefore to convict the other party?—That is about the conclusion I came to.

1114a. And you scarcely make the law responsible for that, but the people themselves?—Well, if the law has not the sympathy of the people, then I think the law is responsible for it.

1115a. You say the law did not have the sympathy of those people?—No, but the public sympathy—a preponderance of the public sympathy.

1116a. The law had the preponderance of public support, or else it could not have been adopted?—Public support and public sympathy are two different things.

1117a. Was there any trouble in Peterborough or this part of the country arising from appeals from the convictions of Magistrates to higher courts, causing delays?—There were very few. There was no trouble from that.

1118a. You think that the law was better enforced at first than later—were there more means for enforcement?—I know the prosecution was not vigorous. Whether it had the effect of enforcing the law better, I am not in a position to say; but I think that would be the natural conclusion.

1119a. Do you think, in view of the difficulties that attended the enforcement of the law, three years was a sufficient time to demonstrate the wisdom of it?—Certainly not.

1120a. In the courts with which you are connected, I think you said that there were since 1886 two or three cases that were directly traceable to liquor. What do you mean by that?—That they were cases committed by persons addicted to liquor, where the crime would not have been committed but for their being so addicted.

1121a. Were the crimes committed during drunken bouts?—No.

1122a. But the persons committing them were habitual drunkards?—Yes.

1123a. Have you noticed whether a large proportion of the petty crimes, larcenies and disorders, can be more or less directly traceable to the drinking habits of the parties concerned?—Yes, a great many cases in the Magistrates Court.

1124a. But you have no record of them?—No.

1125a. From your observation as a prosecuting attorney, are you able to say whether the drink habit has to do with a considerable proportion of the offences, greater or less, that come before the courts?—Oh, yes, it has. I thought it rather peculiar, when I looked up the records, to find that such a small percentage of the crimes in my own court were traceable to liquor.

1126a. You do not know whether the others were traceable to liquor in an indirect way?—They could not be traceable to liquor.

1127a. Do you know whether the parties were addicted to liquor?—I know they were not.

By Mr. Clarke :

1128a. Are these the most serious class of cases?—Yes. The most serious cases come to the Sessions. One of these was assault with intent to commit murder. Others were housebreaking, bigamy, housebreaking and larceny. In one of these the man was sent to the penitentiary for seven years.

By Rev. Dr. McLeod :

1129a. I understood you to say that, with the exception of a very few who started up in a small way, the people who sold in violation of the Canada Temperance Act were the people who held licenses prior to that?—Yes.

1130a. Are they in the main people who hold licenses now?—There have been a good many changes since, but probably half are the same men.

ROBERT E. WOOD.

1131a. So that the people now entrusted with the sale of liquor are the people who violated the law during the period of the Scott Act?—I should say about half the hotel-keepers in Peterborough are the same persons.

1132a. You think there are twenty-two genuine hotels in the town of Peterborough?—I have not counted them.

1133a. Have you considered the question of national prohibition at all?—No, I have not. My own idea was that temperance sentiment was making good progress. In this country the temperance sentiment is advancing constantly. But as to prohibition, I have not thought much about it.

By Mr. Clarke :

1134a. Would you favour the re-enactment of the Scott Act?—No.

By Rev. Dr. McLeod :

1135a. Does your objection to the Scott Act lie against national prohibition in the same way?—No.

By Mr. Clarke :

1136a. Would you favour the enactment of a general prohibitory law until the community generally had a preponderating, overwhelming majority in favour of it?—Unless the public sentiment was very largely in favour of it I would not advocate it.

By Rev. Dr. McLeod :

1137a. We understand that your objection to the Scott Act was because of the lack of proper means to enforce it?—That was one objection.

By Mr. Clarke :

1138a. Was that the principal objection?—It was a principal objection. The other strong objection I had to it was that it was not backed up by the sympathy of the people sufficiently.

By Judge McDonald :

1139a. Had you reason to believe that many people who had an honest desire to promote temperance voted for it and took no effort afterwards?—Yes.

By Rev. Dr. McLeod :

1140a. Is that the same position as to other laws?—As to other laws, they are not in the same position. They have not any voice in bringing them into existence; they are left to be enforced by the officials, and if the officials do not enforce them, then they come on the back of the officials.

1141a. Do you believe the officials in Peterborough did their very best to enforce the Scott Act?—I am satisfied that the officials in both East and West Peterborough worked very hard to enforce it, the Inspectors in both ridings particularly, and if they were not able to enforce it, it was not their fault.

GEORGE I. ROSZEL, of Peterborough, Chief Constable, on being duly sworn, deposed as follows :—

By Judge McDonald :

- 1142a. You reside in Peterborough ?—Yes.
 1143a. You are Chief Constable ?—Yes.
 1144a. How long have you resided in Peterborough ?—Since May, 1888.
 1145a. How long have you been Chief Constable ?—Since that time. I came here to be Chief Constable.
 1146a. Was the Scott Act in force when you came here ?—It was.
 1147a. How long did it remain in force after you came ?—One year.
 1148a. How did you find it observed ?—I did not find it observed at all.
 1149a. Was there open sale of liquor in the community ?—Yes.
 1150a. In many places ?—Yes, a good many.
 1151a. Were there many prosecutions ?—Yes, a good many.
 1152a. Did that matter come under your jurisdiction, or was it managed by the Government Inspector ?—I did the largest part of the prosecutions in town after I came here.
 1153a. Just simply from your being Chief Constable, or were you instructed by any official board to take charge of that work ?—There was a sort of understanding when I came here that the hotels were to pay about so much a year in the way of fines.
 1154a. Will you tell us what that sum was ?—About \$400 a year, I think.
 1155a. Were these to be inflicted at regular intervals, or at odd times ?—Well, they expected that much.
 1156a. Were the fines to be inflicted at intervals during the year or specific periods when the parties were brought up and fined ?—At intervals.
 1157a. No specific dates ?—No.
 1158a. Provided that system were carried out, were these men to be let alone otherwise than that ?—They were let alone.
 1159a. Did you carry out that understanding so far as you were concerned ?—Yes.
 1160a. Then at the end of a year the law was repealed ?—Yes, on the first of May, 1889.
 1161a. And the license system came into force ?—Yes.
 1162a. Comparing the state of things as you found it during the year the Scott Act was in force with the state of things since, which do you think is preferable ?—I think it is preferable the way it is to what it was under the Scott Act.
 1163a. Were the people who were brought up and made to pay fines, in the way you speak of when the Scott Act was in force, the same people who now hold licenses ?—There is a good many of them.
 1164a. Were there many selling who had never kept a hotel ?—Yes, there were a good many of what are called “dives” started up. We rooted them out as fast as possible.
 1165a. This system of license that you speak of was intended to apply to men who had previously kept licensed hotels ?—Yes.
 1166a. But the places called “dives” were prosecuted thoroughly ?—Yes.
 1167a. Did you close these up ?—They were closed up.
 1168a. Would others spring up ?—They would keep springing up, but they would not last very long.

By Mr. Clarke :

- 1169a. Do they spring up now ?—I do not know of any.

By Judge McDonald :

1170a. We are told that you have in Peterborough, at the present time, twenty-two hotels, besides some shops ?—I counted them last night : there are twenty-four places where liquors are sold, besides the shops.

1171a. How many of these are hotels that have the accommodation for travellers ?—Mr. Graham says they are all hotel licenses but two. I don't know anything to the

GEORGE I. ROSZEL.

contrary, but I understand that there are five or six that have not the proper accommodation. I am not just posted as to what the law requires for accommodation, but I understand that they have not got it.

1172a. How are the prohibitions of the license law observed, as to not selling on Sunday, to minors, to drunkards, or to Indians?—I know Indians get drink sometimes. I don't know how they get it.

1173a. It has been said that Indians sometimes send white men to get liquor for them?—I don't know how that is.

1174a. Have you ever had Indians prosecuted for getting drunk?—Yes, we have.

1175a. Have you been able to trace and find where they got the liquor?—No, they won't tell.

1176a. How is the Sunday law observed here?—I guess they nibble a little at it.

1177a. Are there any prosecutions for selling on Sunday?—Yes, there are some.

1178a. Selling to minors?—There were two parties charged with selling to minors, but they were not convicted.

1179a. Have any persons convicted during your term of office for selling on Sunday had their licenses continued the following year?—Yes.

1180a. In the prosecutions you had here under the Scott Act, had you reason to believe there was any perjury?—I think there was perjury. We have perjury in the liquor cases now.

1181a. Had you experience as a police officer before you came here?—Yes.

1182a. Where?—In St. Catharines.

1183a. Had you, there, to do with prosecutions under the liquor law?—No.

1184a. You had license law there?—Yes.

1185a. Taking your experience as a police officer in the Province generally, do you find that in liquor cases, whether under a prohibitory law or a license law, there is a greater amount of perjury than in other cases?—Oh, I think there is.

1186a. What is the character of this town for sobriety and good order?—I think it is as good as any in Ontario.

1187a. A law-abiding population?—Yes.

By Rev. Dr. McLeod:

1188a. You speak about an understanding that the hotels should be fined a certain number of times in the year. With whom was that understanding made?—I could not tell you that. I got a hint that they expected so much.

1189a. From headquarters?—It was from some of the council. I could not say how it came in, but I got it.

1190a. Did you understand that there was an understanding between the hotel-keepers and the council that they should pay that much?—I could not tell; the understanding I got was that they should pay \$400. Where or how the understanding came, I could not tell.

1191a. Do you know any unlicensed places now?—No, I do not think there is any.

1192a. Have there been any prosecuted at all during these years of license?—I think there has been one or two, but I am not sure about that.

1193a. Do you know whether the licensees watch the unlicensed people that they do not sell?—I do not know whether they do or not.

1194a. You think the licensees themselves violate the Sunday law?—I think most of them do a little.

1195a. And they are not very frequently prosecuted—once in a while?—I do not know but they are prosecuted as often as the officers are able to secure convictions.

1196a. And they generally own up, do they not, and not stand trial?—Sometimes they do, and sometimes they do not.

1197a. When they have stood trial have they been convicted?—Sometimes they have and sometimes not.

1198a. When they stand trial, do you think there is perjury as well as under the Scott Act?—I think there is. Of course, under the Scott Act there was much prosecution.

1199a. In cases where a man is charged with theft, and his son or brother or wife is on the stand, do you not think they will try to guard and shield him?—In some cases they do.

1200a. Would it be the same in the liquor cases, that the witnesses stand by their friends, even at the expense of truth?—I think it would.

1201a. Have you any reason to believe that the licensed shops here sell liquor for drinking on the premises?—I have not heard any complaints particularly about that.

1202a. But from your observation, what would be your belief about it?—I could not say. I have never seen or been able to prove any.

1203a. You would not like to say that they do or that they do not?—No. I would not say they do not.

1204a. You said that the present condition of things was better than that under the Scott Act. Will you kindly tell us in what respects?—Under the Scott Act they sold on Saturday nights and Sundays and at all times, and that is about all the difference.

1205a. And there is some sale on Sundays now?—Yes, but not as publicly as they did during the last year under the Scott Act.

1206a. Whatever sale there is now is public, is it not?—Not on Saturday nights and Sundays.

1207a. The law gives them the privilege of selling, and they do that quietly?—I think a good many do it.

1208a. And when they had not the privilege of selling by law at all, they sold all the time?—That is about the size of it, during the year I was here.

1209a. You have rooted out the dives?—I don't know of any in town.

1210a. Were they rooted out during the time of the license law or before?—They were rooted out during the last years the Scott Act was in force.

1211a. If you succeeded in rooting out the dives under the Scott Act, how was it you did not root out the places that you did not call dives?—Because we did not try.

1212a. There have been some complaints of Sunday sale. Who makes the complaints—policemen or citizens?—Sometimes we get complaints from citizens; sometimes there is a row, and we get complaints that way. We get them in different ways.

1213a. Rows sometimes do occur under the license system?—Yes.

1214a. And sometimes citizens complain: do you know what moves them to complain?—Different things move them. Sometimes mothers will complain, and sometimes fathers will complain; sometimes the wife will complain that the husband gets drunk, and *vice versa*.

1215a. So that it is from the class of citizens who are touched somewhat painfully by the drink habit that the complaints come against the violators of the law?—As a rule, that is my experience.

1216a. Do you know whether any license has been revoked during your term of office here because of violations of the law?—There have been two.

1217a. Were they for very flagrant violations of the law?—They were for third convictions.

1218a. Have there been any other third convictions?—I think there have been only two third convictions.

1219a. It is the rule that if there is a third conviction, the license is revoked?—The statute makes it so.

1220a. Do those people whose licenses have been revoked continue to sell illicitly?—In the one case the brother got the license, and in the other case the son got the license.

1221a. In the same building?—Yes, the same place.

1222a. So the place did not stop at all: it changed the name?—Yes.

1223a. Were these hotels?—Yes.

1224a. Do you have any difficulty in enforcing the provisions of the license law? Do you have to watch them very carefully to see that they do not violate the law?—I do not consider it is my duty.

1225a. Is it not the duty of the police to look after the matter?—As I understand, it is the duty of the police force if any complaints are made to them or if they see any

GEORGE I. ROSZEL.

violations themselves, to prosecute them, but we do not consider that we should go around and look for them.

1226a. Is it the duty of the Inspector to look after this?—I understand it is.

1227a. He is the prosecuting officer?—Yes.

1228a. So that the police force has not any special duty in that matter? You have the order of the city generally to attend to?—Yes.

1229a. Is there much disorder in Peterborough?—It is a very quiet town.

1230a. Is there much drunkenness here?—There is considerable drinking, but it is very quiet.

1231a. Are there many cases before the Police Court?—Quite a few.

1232a. Is there much crime of other sorts—petty thefts, quarrels, disorders?—Not very much.

1233a. Have you a military establishment here—an infantry school or something of that sort?—No, only a local battalion of volunteers.

By Mr. Clarke :

1234a. Has there been any increase in drunkenness since the Scott Act was repealed?—That I could not tell. At the time the Scott Act was in force they did not keep a police record properly. You could not tell much about it.

1235a. Have the arrests for drunkenness increased or decreased since the time of the Scott Act?—I think they have decreased a little. I have kept a book since the 1st of November, 1889. I think the arrests for drunkenness and disorders have decreased a little.

1236a. Is the present condition of things an improvement on that which existed during your first year here?—Oh, yes. There were more depredations committed the first year I was here than since. I do not know whether it was the Scott Act or not.

1237a. We understand that you got a hint when you came here that people who had licenses prior to the introduction of the Scott Act were to be fined occasionally in sums that would be equivalent to a license fee, and were to be allowed to go on. Is that the fact?—The fines were principally all first offences.

1238a. And practically they were licensed in that way?—That was about the size of it.

1239a. The new comers were interlopers and were more vigorously prosecuted?—Yes, the dives. They would start up little places just as drinking holes.

1240a. But there was a certain amount of sympathy felt for the hotel-keepers that were deprived of their licenses?—There seemed to be. That was the way I looked at it.

1241a. But there was no sympathy for those keepers of dives?—They were driven out as fast as possible.

1242a. As a police officer, which would you prefer—the Scott Act, or a license law with the restrictions and prohibitions that exist in the present law?—I would prefer the license system to the Scott Act in the way it was the first year I was here.

1243a. Was there open sale here in the town during the last year of the Scott Act?—Yes, just as open, I consider, as it was under license.

1244a. How did the number of places selling then compare with the number selling now?—There have been some new places built. There is not much difference—about the same number and about the same places.

1245a. So that practically there is no difference, license or no license?—All the hotels that were in existence were selling, and there have been one or two built since.

1246a. Do you think the adoption of the Scott Act improved the morals of the community and had a beneficial effect on the people generally?—I would not like to answer that.

1247a. It was said here that the beneficial effects of the Act are still felt here. Have you felt that the fact that the Act was in force three years has helped you any since you came?—I do not know that it has.

HENRY CALCOTT, of Ashburnham, brewer, on being duly sworn, deposed as follows:—

By Judge McDonald:

1248a. Where do you reside?—In Ashburnham, across the river.

1249a. What is your occupation or calling?—Brewer.

1250a. How long have you resided in this country?—Since 1855.

1251a. And how long have you carried on a brewery?—Since 1855.

1252a. You recollect when the Scott Act was in force in this county?—Yes.

1253a. Did your brewery carry on operations during that time?—Yes.

1254a. During the time the Scott Act was in force in this county, was there any diminution in the amount of your output?—I have made a statement, taken from the Government books, showing the quantity of beer manufactured in each year ending the 30th April, as follows:—The year ending 30th April, 1886, that is the year before the Scott Act came into force, 102,900 gallons; the year ending 30th April, 1887, 113,500 gallons; the year ending 30th April, 1888, 144,375 gallons; the year ending 30th April, 1889, 126,670 gallons; the year ending 30th April, 1890, 97,750 gallons; the year ending 30th April, 1891, 67,800 gallons.

1255a. From this statement there appears to have been a regular increase in your manufacture during the years the Scott Act was in force in this county, and a decrease in the year after it ceased to be in force, and a decrease the year after that again?—Yes.

1256a. To what do you attribute the increase during the Scott Act period and the diminution since?—I do not know what to attribute it to, except that they drank more beer.

1257a. In some sections we are informed more spirits were drunk and less ale, because spirits, being less bulky, could be more easily carried about?—We did not find it so here.

1258a. Did you support the adoption of the Scott Act?—No.

1259a. Did you support the repeal?—I did.

1260a. Your business increased under it?—I thought it would be better for the morals of the people to have a license law.

1261a. Why?—It seemed to me they were not very honest in the prosecutions. When there was a case of prosecution, it seemed to me the people just swore as they liked.

1262a. As a citizen, did you find that the Act was well observed?—No, the Act was not well observed.

1263a. How was it in Ashburnham, where you live?—It would be about the same as in Peterborough.

1264a. At any time while the Act was in force in Ashburnham, was there an open sale of liquor?—Yes.

1265a. Places where you could see it sold?—Yes.

1266a. Were they prosecuted?—Yes, prosecuted and fined.

1267a. And still kept selling?—And still kept selling.

1268a. Did you find any difficulty during the time the Scott Act was in force in collecting from people to whom you sold?—Yes, I did. That was not a general complaint, because most of them were honest, but some few would not pay.

1269a. On the plea that the sale was unlawful?—Unlawful; and it was not so much the hotel-keepers as the private people.

1270a. Did you sell much to private people during the time of the Scott Act?—I did.

1271a. In what bulk would they buy?—Ten gallons.

1272a. Would that be scattered about the district—in this county and other counties?—In this county principally. In other counties too, but not so much as here.

1273a. Has that kind of private sale continued since the Act has been repealed?—Yes.

HENRY CALCOTT.

1274a. To the same extent?—Yes.

1275a. So that the Act did not increase the output of quantities bought by private individuals?—I did not look at that particularly, but I do not think it was. I think it was about the same.

1276a. You have heard the evidence given of places in Peterborough and Ashburnham where liquor was sold openly during the time the Scott Act was in force. Did you supply any of those places?—Yes.

1277a. Under the law, as it exists, are you required to have certain appliances about your brewery in the way of machinery or vats?—Yes.

1278a. If a prohibitory law were passed prohibiting the manufacture of liquor, have you any such plant that would become useless to you?—Yes, perfectly useless. When the Act first came in, on the first of May, 1886, we stopped brewing altogether. Under the Act people could send to Toronto or any other outside place where the Act was not in force, and import what they wanted; and as soon as I found that they could do that, I proceeded to work to supply my friends who had been buying. They had been accustomed to drink our ale, and wanted it, and I made it and sold it to them.

1279a. Were you prosecuted under the Scott Act?—I was several times.

1280a. And had to pay fines?—Yes.

By Rev. Dr. McLeod :

1281a. Were you ever prosecuted for a third offence?—No.

1282a. First offences always?—Yes.

1283a. Did they continue those prosecutions during the three years the law was in operation?—Yes.

1284a. Right along?—Right along.

1285a. And you paid considerable moneys in fines?—Yes, I paid a lot of money.

1286a. Your output for the year ending the 30th April, 1886, was 102,000 gallons. Would that be the average output for 1884 and 1885?—Just about.

1287a. And in the year ending the 30th April, 1890, it was 97,750 gallons, and in the year ending the 30th April, 1891, 66,800 gallons. Can you tell us why it should drop from 102,900 gallons in 1886 to 67,800 gallons in 1891?—I do not know unless it was that they could get whisky by the gallon, and they bought more whisky.

1288a. Can you tell us whether your output has increased since 1891?—It has.

1289a. You thought the repeal of the Scott Act was better for the morals of the people?—Yes, I did.

1290a. You thought it was better for people to drink less: is that it?—I thought it was not only better for them to drink less, but I thought that the way things were carried on at that time was bad for the community. It was very ridiculous.

1291a. Was it the case that during the Scott Act period people found it more convenient to buy from you than to send abroad, so that you had a monopoly of the trade?—It may have been something of that. If we had had a larger sale to private customers than before, I would have thought that; but my sales were mostly to hotels.

1292a. Are we to understand that during the Scott Act period the people drank twice as much, and that as soon as drinking was made free, they ceased to drink?—I do not know as to that. Why it should be, I could hardly tell you.

1293a. And yet you favoured the repeal, with smaller sales and of course smaller profits?—I do favour the repeal all the time, because I think the morals of the people were demoralized under the Scott Act.

1294a. Were the people demoralized because they drank more?—It was not because they drank more, but they drank on the sly. There were people here who used to drink that did not drink very much before. In fact, to my knowledge there were lots of people like that.

1295a. Then their morals were damaged?—Yes. They used to go in on the principle that when you are refused a thing, you are bound to have it.

1296a. Was this the state of things, that when the law was in force they drank more and their morals were damaged, and since the law was repealed they have drunk less and their morals have improved?—It was not the drink that had any effect on their morals, looking at it in that way; but it was the people who went and drank and then swore that they did not.

1297a. Was it because they drank more that they swore that?—I don't know.

1298a. You say this statement of your output is from the Government books. What books are those?—What we keep in the brewery.

1299a. Have the Government officers there?—A person comes there three or four times a week.

1300a. What does that mean?—It means that we have to pay duty.

1301a. Will they not let you take out the product, and then take your record?—No, they won't let us touch it.

1302a. And this statement is a transcript from the Government books?—Yes.

1303a. Then the Government, I suppose, is a partner in the business and gets a part of the profit?—Yes, and gets a big part of it too.

1304a. I suppose other parties supply ale to Peterborough dealers as well as yourselves?—Oh, yes, there is a lot of ale brought in here.

1305a. Has the decrease kept up?—No, it is on the increase now.

1306a. And it is back to about where it was in 1886?—Yes, about the same—before the Scott Act came in force.

1307a. Is your objection to a prohibitory law simply because of the loss that would come to you from a prohibitory law?—No, it is not. I do not think a prohibitory law would be a success. I do not think it would be possible to carry it out.

1308a. I wondered whether it was simply because of the loss you would sustain, and whether if compensated for that loss your objections would be removed?—I do not look on it in that light at all. Of course, our loss would be very heavy. We would be obliged to shut up the place, apart from the loss of business.

1309a. Why did you shut up when the Scott Act came in force: it did not interfere with your manufacture?—We had to sell outside. I did not know we could sell here.

1310a. How long was it after you did sell here?—About a month.

1311a. Had you any understanding with the officials?—No understanding.

1312a. When did they begin to prosecute you?—I suppose it would be in three or four months.

1313a. Did you sell quietly?—At first we sold quietly.

1314a. And after a time did you do it openly?—Very openly.

1315a. Did you all the time keep a lookout for officers?—Oh, yes.

1316a. You knew you were violating the law?—Yes.

1317a. In regard to this increased output, one brewer told us that they did not lay in the usual stocks from outside brewers, but got it in smaller quantities from the local brewers?—I think that would partly account for it.

By Mr. Clarke :

1318a. There seems to have been a greater sale during the Scott Act period in hotels. You say the sales to private families did not increase?—Probably I could explain that. When liquor came here from outside, it had to come on the cars, and it was more exposed than what was got from me. The officers watching them could get on to it easier.

1319a. Was there an open sale of liquor in Peterborough during Scott Act times?—Oh, yes.

1320a. As well as across the river?—Yes.

1321a. No difficulty in any person procuring liquor?—There was some difficulty. It was not quite as open as it used to be. Of course they would know their customers pretty well, and some they would furnish and some not, although the Inspector watched them pretty closely too.

By Rev. Dr. McLeod :

1322a. Do you remember the old Dunkin Act?—I do.

1323a. If the Inspector watched them pretty closely, how was it the Chief of Police said they were running openly?—I think a good deal had to do with the prosecution. When they prosecuted, people would come up and say they did not get it.

By Mr. Clarke :

1324a. Was it in force here?—Yes.

HENRY CALCOTT.

- 1325a. How did it operate?—People sold right along. They did not mind it at all.
 1326a. Was it less efficient than the Scott Act?—No, I never heard such a thing, and I was surprised to hear the Chief of Police say that. I was around the hotels very often, and never heard that.

GEORGE COCHRANE, of Peterborough, License Inspector, on being duly sworn, deposed as follows :—

By Judge McDonald :

- 1327a. Where do you reside?—In Peterborough.
 1328a. You are Inspector of Licenses for what district?—West Peterborough.
 1329a. Do you follow any other occupation or calling, or do you give up your whole time to that?—I have other occupations. I could not afford to give up my whole time.
 1330a. What other business?—I am high constable and commissioner for peddler's licenses for the county.
 1331a. How long have you been Inspector?—Since 1886.
 1332a. West Peterborough includes the town of Peterborough?—Yes.
 1333a. How long have you been Inspector?—Two and a half years.
 1334a. And, before that, in the county?—Yes.
 1335a. How long have you resided in the county?—I was born here.
 1336a. Where did you reside before you came to Peterborough?—Nine miles north, at Lakefield.
 1337a. Did you hear Mr. Graham's evidence?—A portion of it only.
 1338a. Was Lakefield a moral and law-abiding place?—Yes.
 1339a. Was the license law well observed?—Yes.
 1340a. How many hotels?—Four.
 1341a. How many before the time of the Scott Act?—Four.
 1342a. The same four houses?—No. One house that previously had a license has not got one.
 1343a. That makes three old houses and one new one?—Yes.
 1344a. The same individuals?—No, they are all new men.
 1345-46a. Was there any illicit sale there during the Scott Act period?—I believe there was.
 1347a. Were you Inspector during the whole time the Scott Act was in force?—Yes.
 1348a. Did you honestly endeavour to carry out the provisions of that law?—I honestly endeavoured to carry out the provisions of that law as far as I was paid for it. I could not afford to spend my whole time. I only received \$400 a year.
 1349a. And you therefore had necessarily to give a portion of your time to other callings?—Yes.
 1350a. Did you find it difficult to enforce?—I did, very.
 1351a. What difficulties stood in your way?—The principal difficulty I found was that people who, I heard from private information, had got liquor, would come into court and swear that they had not got it, when I attempted to prosecute. I had as high as twenty-two witnesses, and out of the twenty-two, twelve came and swore that it was not whisky that they had drunk, but "moxie." There was a temperance drink called moxie, and the men who had got rye whisky would swear they had got moxie.
 1352a. Were there any prosecutions for perjury?—No, I think not.
 1353a. Did you find this perjury prevail in different sections throughout the county?—No, mostly in the town.
 1354a. Outside of the town how was it?—It was necessary to get a good many witnesses.
 1355a. Had you any cases in which it was necessary to charge a second offence?—Yes, a good many.

- 1356a. Did you secure any convictions?—Yes.
- 1357a. Had you any for a third offence?—Yes, I think three.
- 1358a. Were there any convictions?—I think two.
- 1359a. Had either of these been in the business previous to the time of the Scott Act?—Yes, one.
- 1360a. The other was new?—Yes.
- 1361a. Did you find any who had had licenses who continued to sell after the Scott Act was adopted?—Yes.
- 1362a. Did any new places spring up?—I do not think that in the town of Peterborough, more than three new places sprang up.
- 1363a. How about outside?—We had two.
- 1364a. Had you trouble with people carrying liquor about on their persons?—There was in the north where big works were going on; but we broke that up.
- 1365a. Did you find that much liquor was brought in by persons from outside to use in their own houses?—That I do not know.
- 1366a. You were not called on to look into that?—No, I was not.
- 1367a. Had you any difficulty in the way of people transferring their bars by means of leases to other persons?—Yes, very often.
- 1368a. Was an investigation had to find out whether those leases were genuine?—Not that I recollect.
- 1369a. The leases were assumed to be correct?—Yes.
- 1370a. Did that lead to a system of fines for first offences?—It did in many cases. I do not know as it ever got as far as the third tenant, but it has been done frequently here.
- 1371a. All these causes prevented the Act being thoroughly enforced?—Oh, we met with various difficulties. We found that a good many people who had voted for the Act, and from whom we had reason to expect assistance, would not assist in any way.
- 1372a. Did you find that people who had supported the Act had their sympathies aroused, and wanted the people who were prosecuted let off?—Yes; I have seen them furious about it, especially if the person was a man who had had a license previously.
- 1373a. Was there a different sentiment in the community towards those who started anew?—Oh, yes, they were all down on dives, kept by persons who had no license before.
- 1374a. Do you know anything of the state of things the Chief of Police spoke of, in regard to it being understood that if the hotel-keepers paid \$400 in fines during the year, they would be allowed to sell?—I am very much surprised to hear it.
- 1375a. You know nothing about that?—No.
- 1376a. Under an Order in Council the fines were given to the municipalities to be used in the enforcement of the Act?—Yes.
- 1377a. Did you ever take steps to see that the fines for this county were applied to that purpose?—No.
- 1378a. What was done with them?—The fines were paid over to the municipalities.
- 1379a. Did they put them into their general funds?—So far as I am aware, all they did was to pay my salary.
1380. We understand that the Board of License Commissioners made an estimate, approved by the authorities in Toronto, and then sent a requisition to the county authorities for whatever was needed?—Yes.
- 1381a. You do not know that the county authorities were ever applied to to supplement that sum?—I do not know that they were.
- 1382a. Are you yourself in favour of prohibition as a general principle?—I am.
- 1383a. Do you favour a Dominion prohibitory law, prohibiting the manufacture, importation and sale?—I do, but I think it would need a pretty large majority to make it workable—a considerable preponderance.
- 1384a. To what do you attribute the change in public sentiment that led to the repeal of the Scott Act?—It is pretty hard for me to tell just what I do think about it. I presume a good many men voted for the repeal of the Scott Act on the ground that it was not enforced.

GEORGE COCHRANE.

1385a. You think people expected more from it than they got?—Yes, I think a good many voted for repeal for that reason.

1386a. Do you think that many abstained from voting who had previously voted for it—ceased to take an interest?—I think so.

1387a. It has been stated that there are some five places in the town of Peterborough that have tavern licenses without having the required accommodation?—It is not necessary to have accommodation for horses and wagons, in the town of Peterborough.

1388a. The License Commissioner, Mr. Graham, intimated that there are two places that have not proper accommodation?—He is mistaken; there is only one.

1389a. All the others have the accommodation the law requires?—The law requires four beds and tables for serving meals, and I think there is only one that has not that accommodation now.

1390a. Do you endeavour to see that the provisions of the license law are carried out?—Yes. I make a thorough examination every year, in the forepart of the year. I do not make an examination again unless my attention is called to something particular.

1391a. If persons complain that the license law is not observed, are you ready to act on the information they supply?—Always have been.

1392a. You go and make an investigation?—Yes; never refuse.

1393a. Taking the state of things as it was under the Scott Act and the state of things as it is under the license law, which in your judgment is preferable?—I should rather be under the license law.

1394a. Do you find your people carry out the license law?—Yes.

1395a. How are its prohibitive provisions observed?—The people are more ready to give their assistance in carrying out the general provisions of the license law than they were the provisions of the Scott Act.

1396a. The general community?—Yes.

1397a. How do you find the man in the trade observes the law, as to selling on Sunday, to minors, and so on?—I would not say the law is not broken, but I think that in Peterborough the law as to selling outside of prohibited hours is pretty well observed. I have heard very few complaints and I make regular visits on Sunday and to the places that have licenses.

1398a. Do you find that the same amount of perjury takes place in prosecutions under the license law as took place in prosecutions under the Scott Act?—I do not have to use witnesses to the same extent. In cases of violation of the license law I generally catch the party in the act. Then he has simply to plead guilty.

1399a. Evidence was given here a few moments ago by the Chief of Police as to two licenses having been cancelled in this county, but he stated that new licenses had been given for the same premises, in one case to a son, and in the other case to a brother. Do the men who had the licenses originally still remain on the premises?—In one case he does; in the other case they are not in the business at all now. Of course, it is the Commissioners who grant the licenses, not the Inspector.

1400a. If there is any statement you wish to make yourself with regard to the working of the law, we shall be very happy to hear it?—The principal statement I would like to make is that in a district like West Peterborough and a growing town like Peterborough I think it requires pretty near the whole time of one man to enforce the license act or any other liquor act, because a great many of the class of men in the hotel business—I cannot speak very favourably of some of them—require a good deal of watching.

By Rev. Dr. McLeod:

1401a. That is to say, the men authorized to sell six days in the week will sell on the seventh if you do not watch them?—I think a good many of them would—not all of them. We have some men, and quite a number, that you could not buy an ounce of liquor from on Sunday—some six or seven men in this town that I have never yet heard the first complaint against, of selling in prohibited hours.

1402a. Are there any illicit places?—Not one in the town of Peterborough.

1403a. Did you never have any under the license Act?—I think we had one in the county.

1404a. Is there no place in Peterborough where there is a keg or a few bottles?—I don't think there is one.

1405a. None have come to your attention?—At least I have never heard of it.

1406a. The complaints that have been made have been made against licensees?—There have not been many complaints. I sometimes find regular licensees breaking the law in my regular trips on Saturday nights or Sundays, but I have heard very few complaints. Of course, I have been told I should get around without being seen. I have too big a body not to be seen; but I get around as quietly as I can.

1407a. You can devote only a portion of your time to that work, because you are only paid for a portion of your time?—That is all.

1408a. Would there have been a better enforcement of the Scott Act if you could have devoted more time to it?—Yes.

1409a. The trouble was not so much in the law as in the difficulty of enforcing it?—The law could be enforced, I suppose.

1410a. From your observation of the effects of the trade, do you prefer a license law to the total prohibition of the trade?—I would vote for prohibition.

By Mr. Clarke :

1411a. Were any representations ever made to the License Commissioners during the Scott Act period, by people desirous to see the Act enforced, or by yourself, that it could not be effectually enforced by you while you devoted only a portion of your time to the work?—I think the Board of Commissioners were asked to increase my salary, but they had no power to do it.

1412a. Who fixed your salary?—The Government.

1413a. Were any representations made to the Government that your salary was inadequate to warrant your devoting your whole time to the enforcement of the Scott Act?—When I first received my appointment, Commissioners recommended the Government to make my salary \$600.

1414a. And the Government did not comply with that request?—No.

1415a. And the Commissioners were aware that you were not devoting your whole time to the enforcement of the Act?—I suppose so.

1416a. Has there been any marked increase in drunkenness since the Act was repealed?—I do not think so. I think there has been a decrease. I think there is a decrease every year.

1417a. Was there a decrease each year the Scott Act was in force as compared with the previous years?—I think there has been a decrease every year for the past twenty-five years as compared with the previous years..

1418a. Was the Scott Act an educator of the people?—It was said it did.

1419a. What is your opinion?—I could say something on both sides. Some men who formerly drank would not take liquor into their houses, and others drank just for spite.

1420a. On the whole, would you prefer the Scott Act to the present law?—I would not like to say that.

1421a. Would you vote for the re-enactment of the Scott Act?—I would not.

By Rev. Dr. McLeod :

1422a. Not if there were means for its proper enforcement?—When I think of the amount of perjury committed, it is just enough to keep me from voting for the Scott Act.

By Mr. Clarke :

1423. You have expressed yourself as favourable to general prohibition. Have you considered how the revenue now derived from the traffic could be raised?—I don't care how you raise it; but don't raise it out of whisky.

JOSEPH A. FIFE, M. D., of Peterborough, on being duly sworn, deposed as follows:—

By Judge McDonald:

1424a. How long have you resided in Peterborough?—Fifteen years.

1425a. What is your profession?—I am a practicing physician.

1426a. Can you give us information coming within the scope of our inquiry, as to the effects of the Scott Act which was in force in this county?—I was here during the time, and knew something of it as a citizen.

1427a. Will you make a statement concerning its effects?—I do not know that I have any statement in my mind to make. I am ready to answer questions.

1428a. Did you promote the passing of the Act?—Yes, I was favourable to it.

1429a. You are in favour of prohibition?—Yes, I am.

1430a. Were you favourable to the passing of the Scott Act?—Yes.

1431a. I suppose you did so with the view of endeavouring to do away with the evils of drunkenness, and to reduce the sale of liquor in the county?—Yes.

1432a. Did you hope to do away with it altogether when you adopted the Act?—Well, we did not hope to do away with it altogether: we hoped to reduce it, to make it less, and to improve the state of society.

1433a. Then, after the Act was passed and came into force, did you find that it was fairly well observed in the first instance?—For a short time I believe it was. I now speak from general sentiment and not from personal knowledge, because I was not much where it was sold.

1434a. But you think in the first instance it was fairly well observed?—For a short time.

1435a. Then what led to a change?—I think it was the appetite of the people who were fond of whisky and beer, and they were determined to buy it.

1436a. They must have had the same appetite when the Act was passed, but the people did not sell, they observed its provisions?—Yes.

1437a. Then what led the people to commence the sale of liquor?—People wanted to buy it.

1438a. You think those that were in the trade made up their minds they would risk selling it?—I think so.

1439a. From the time they commenced to break the law, was there a gradual increase in drinking, and while it remained in force?—It increased for some time and then I think there were some prosecutions; and I think there were probably less sales for a few months.

1440a. Then would it commence to increase?—It would increase again.

1441a. Were the prosecutions of a spasmodic character? Would there be a lot of prosecutions, then a lull, and then prosecutions again?—Yes, it was so to some extent.

1442a. And, during those lulls, the trade would become larger?—Yes.

1443a. Did you ever observe in this town the open selling that has been spoken of by some witnesses here?—I was a supporter of the Scott Act, and I did not go to the hotels. So that did not come within my personal observation.

1444a. Had you reason to believe that as much selling was going on?—Yes, I believed there was.

1445a. It has been stated here to-day by the Chief of Police that he was here during the last year of the operation of the law, and he was given to understand that as long as there was a revenue of about \$400 a year coming in, from each place where liquor was sold, in the way of fines, the vendors need not be interfered with. Did you know of that?—I heard it was going on. I heard that spoken of.

1446a. Did you, as a promoter of the Scott Act, take any steps to have that thing investigated, and to have it done away with?—A person who is a member of the Scott Act Association, and who took an interest in and tried to promote the enforcement of the Act, told me that he had been approached by one man who asked if we would cease prosecutions in case the liquor sellers paid \$100 a year, and he informed me that he would not make any such arrangement.

1447a. That is, the Scott Act people would not?—Yes, the Scott Act people would not make any such arrangement as to accept this hundred dollars a year and stop prosecutions.

1448a. They were not parties to it, then?—No.

1449a. Well now, taking the Act to the extent it was enforced, do you think it was beneficial?—Yes.

1450a. The effects were good?—Yes.

1451a. In what way?—I think there was less whisky sold and drunk.

1452a. The same would apply to ale and other liquors? Do you use the term whisky as indicating wine and other intoxicating drink?—Yes.

1453a. Now, taking the three years during which the Scott Act was in force, and the period which has elapsed since in which there is a license law; during which period was the state of affairs in the county the better?—I favour the Scott Act period.

1454a. I am not speaking of what you favour as a matter of conviction, but I ask you as an observer of what goes on in the community and as a citizen, which was the better state of things, during the three years the Scott Act was in force, or the three years that followed it under a license law, or did you notice any difference?—Yes, there was a difference. The Scott Act period was what I helped to bring about. I was decidedly in favour of no license.

1455a. You do not quite comprehend my question. I asked as to the effect of the two regimes upon the community, as to sobriety, and good order and everything of that kind, whether you observed any difference between the period the Scott Act was in force and the three years that has elapsed since?—I think there was greater sobriety during the Scott Act period than since.

1456a. You think there was greater sobriety during the Scott Act period than during the subsequent period?—Yes.

1457a. Then comparing the Scott Act period with the three years previous to it, do you think the advantage was upon the side of the Scott Act?—Yes.

1458a. Do you think that was apparent in the community generally?—Would it be observed by others as well as yourself?—I think it was. Perhaps, I might make a little addition to that statement to show why I made it. There was an intense feeling between the liquor party and the Scott Act party during that time, and it found warm expression sometimes. Some of the promoters of the Scott Act had their houses set on fire, and another man had a quantity of red pepper thrown into his mouth and eyes. I do not think that was a good state of things.

1459a. Was there a prosecution for that?—No.

1460a. Was it discovered how these people's houses came to be set on fire, and by whom?—No.

1461a. Have you any means of proving a connection between those acts and the state of the law with regard to the liquor traffic?—No. I state that as a conviction in my mind, I do not mean that I am ready to prove it.

1462a. Now, how do you account for the repeal of the Act?—A change in sentiment, I think. A good many of us who were favourable to it, expected too much from it, and it did not accomplish all we were looking for. There was also an indifference as to its enforcement. Then, we did not get the Act we voted for. The Act we voted for provided that a proportion of the fines should go to the prosecutor, and an arrangement was entered into by some of the citizens to prosecute, to assist in carrying out the law. Well, only a few weeks afterwards the law was changed, so that the money coming from fines was diverted from the prosecutor. It did not come under the control of the Scott Act Association, or the promoters of the Act.

1463a. But you know the change was made in this way, that the funds were placed in the hands of the authorities of the municipalities for the purpose of enforcing the Act?—Yes.

1464a. Do you put it forward as right that the funds arising from fines, or any other money of that kind, should be placed in the hands of an Association having for its object to carry out a particular line of conduct?—No, if I were framing a law I should certainly not put the enforcement of it in the hands of private persons.

JOSEPH A. FIFE, M.D.

1465a. What I mean is this, that the fines collected from the vendors are really the property of the community as a whole, and the community as a whole is interested in the enforcement of that particular law?—Certainly.

1466a. Very well, instead of some individuals who had banded themselves together to enforce the provisions of the Act, getting that money, and using it without being responsible to any authority, these funds were handed to the constituted authorities, the municipal bodies, with which to enforce the Act?—Yes, I understand that.

1467a. Now the funds were not diverted, they were merely given to a different body to administer, that is, instead of an informer getting half the fines and putting it into his own pocket, the whole fund was to be handed to the municipalities, and they were to look after the enforcement of the law?—Yes.

1468a. Did they look after it?—No.

1469a. Was that owing to the change in the application of the funds or was it owing to the neglect of the parties who were entrusted with the money to use it for that purpose?—It was the neglect of the body entrusted with the moneys to use them for that particular purpose. When I said, No, to the last preceding question, that needs limitation. They did something, but they did not do as much as the funds would have justified them in doing.

1470a. Now it appears that both in this and other counties, instead of the County Council which got the funds, using them for that purpose, there was a Board of Commissioners appointed, and that Board gave what are called druggist's licenses under the Scott Act, and they were to look after the enforcement of the Act?—Yes.

1471a. We have had before us a member of that Board, and also the Inspector of Licenses, Mr. Cochrane, and they both assured us that the utmost was done that could be done under the circumstances, to enforce the Act, Mr. Cochrane making this limitation, that his salary was so small that he had to attend to other business and could not give his whole time to the Act. Now can you tell us, as one interested in the Act, and from your experience of it, whether those officials did do their utmost to enforce it?—They did a good deal. I went personally to Mr. Cochrane and asked him to do something more than he was doing, and he made the reply to me, the same as he did to you, that he was doing as much as he was paid for, and he had to do something else to earn his bread and butter.

1472a. Did he do the particular things that you asked him to do?—No.

1473a. Were any steps taken by you and others interested in the working of the Act, to get Mr. Cochrane's salary raised?—No, I do not think so.

1474a. To sum the matter up, then, do you think the community failed to obtain from the Scott Act after it was passed, the benefits which they had a right to expect?—Yes.

1475a. Do you think that this disappointment upon the part of some people, led to lukewarmness and consequently to repeal?—Yes.

1476a. They had been disappointed in not obtaining what they had expected from it?—Yes.

1477a. Do I understand you to say that notwithstanding all these things you believe the Act was beneficial?—Yes.

1478a. And produced a better state of things than license?—Yes.

1479a. Now as a citizen of this town do you think that the license law is carried out efficiently?—I think not.

1480a. You know, of course, that a great many of the provisions of the license law are really prohibitory?—Yes, I believe so.

1481a. You do not think that those provisions are carried out properly?—I cannot prove breaches of the law because I do not often go where liquor is sold, but I hear it commonly said that liquor is sold in our hotels and other drinking places, on Sundays and Saturday nights after the hour of closing. I have been told so repeatedly. I am only giving hearsay evidence, not my own observation.

1482a. Are there any suggestions you would like to make as to possible improvements in the license law, if it is to be continued?—Giving fewer licenses is the most important thing.

1483a. You think there are too many?—Too many.

1484a. Would you increase the license fee?—No. There was a by-law before our town to raise the licenses, and I voted against high license, because I thought it gave the people at large a pecuniary interest in the liquor trade, and made them partners in the business; and for that reason I opposed the by-law.

1485a. Are you opposed on principle to a license law?—Yes.

1486a. Still, if there is to be a license law, you would have as few licenses as possible?—Yes.

1487a. Do you think there would be an advantage in having a less number in Peterborough than you have now?—Yes.

1488a. Are you favourable to what is called National Prohibition, prohibiting the manufacture, importation and sale of intoxicating liquors as a beverage?—Yes.

1489a. It has been stated to us that the enactment of such a law would lead to a loss in the revenue of the country of some six or seven million dollars. Have you considered at all how that would be made up?—I have no system of finance to propound; but I think the increased industry of the people, and the less waste of time and money, would more than make up to the people the revenue they would lose.

1490a. The question is, how is the Government going to get hold of the money that is saved? Have you thought of any means, whether of increased duties or of direct taxation, by which the Government could make up this loss?—No, I have not devised any system.

1491a. Have you considered at all, in case that a law were passed, whether it would be better to entrust the enforcement of it to Dominion, Provincial or municipal officers?—I think it would require all.

1492a. Supposing such a law were passed, would you deem it right that remuneration should be made to brewers and distillers for the plant and machinery that would be rendered useless in their business?—Yes, if the remuneration went all around, so as to apply to people who are damaged by the liquor.

1493a. What do you mean by that?—Many of us, in our homes and in our friends, suffer grievously by reason of the liquor trade, and if a system is adopted which will compensate these men, then I am quite willing to concede the same to the manufacturers and dealers.

1494a. Do you find in your observation that there is much drunkenness in the community?—Considerably.

1495a. Do you find, going back as far as you can remember, a great improvement in the habits of the people in this respect?—Yes. I think there is less drinking now.

1496a. Do you now find that every year there is less drinking?—I think there was more drinking in the past than there is at present, but as to any nice grading from year to year, I do not think I can discriminate.

1497a. Have you found that the temperance societies and churches are exercising a good influence in promoting temperance sentiment among the people?—Yes, they are.

1498a. And the generation growing up is imbued with more than the previous generation?—Yes, I believe so.

1499a. Have you found in this section of the country whether, after the Scott Act was passed, the temperance societies became less vigorous, considering that their object was not attained?—Yes, they were. Temperance societies, such as Good Templars and Sons of Temperance, ceased to meet to a considerable extent. The societies were not as aggressive as they had been for some years before. I do not think that they went out of existence, but they were less active.

1500a. Did you find any difficulty in the way of people who had been promoters of the Scott Act, doing nothing more after it was passed?—Yes.

1501a. And failing to give assistance towards the enforcement?—They gave considerable assistance, but I found some who did not.

1502a. Did you find any persons who took this view: that while they were favourable to the Scott Act and supported it, when it came to the prosecution of men who had previously been in the traffic for breaches of the Act, they had a certain amount of sympathy for these men and did not like to prosecute?—Yes, I found such people.

JOSEPH A. FIFE, M.D.

1503a. Did you find, after the passing of the Act, that new men started selling?—Yes. I think they were quite willing to prosecute the new men, and there was a good deal of sympathy for those who had been in the traffic before, and they felt that we were doing a hard thing when we prosecuted them.

1504a. We have understood that there were not very many convictions upon what are called second and third offences; they were generally first offences carrying the smallest fines?—Yes, they would fine one man, and then fine him again, and again, and always call it a first offence.

1505a. Did people like yourself protest against that sort of thing?—Yes. We did our best to have them punished according to law.

1506a. What answer was made to you? What reason was given for not making these second and third offences?—Some of them had shifted their ground, as was stated by a witness this morning. Perhaps there was a change of proprietor, sometimes a change in the bar-tender, and the premises were rented to other parties for the time being. There was an inability to get a conviction for a third offence, although the same person had been convicted on a first and second offence.

1507a. Do you know whether there was any effort made by the authorities to test the validity of those leases?—Yes.

1508a. If a man came forward and stated he had leased the property, of course the tenant would be the first offender. Were steps taken to test the question whether those leases were merely a sham, or whether they were genuine?—Speaking now from memory, I think I was told there was one such case, and the Magistrate threw it out. He said the evidence was not satisfactory.

1509a. Were there cases where men were fined for second offences?—Frequently.

1510a. And were they fined increased penalties?—Yes, \$100.

1511a. Were parties fined the third penalty?—I think there were two: one who had been previously in the traffic, and one new man.

By Rev. Dr. McLeod :

1512a. Although none of those persons who set fire to those houses you speak of were convicted, there seems to have been a general belief that the acts grew out of opposition to the law?—Yes, that was our belief.

1513. Why were they not prosecuted?—In one case, I was so much interested that I offered a reward of \$200 to bring home a conviction, but I never got any evidence that would bring a conviction to the party who started the fire.

1514a. Were you a sufferer in that fire?—Yes.

1515a. And you believe that you suffered because of your interest in the Scott Act?—Yes. About midnight or one o'clock when the fire started, I went out and found near the verandah a whisky bottle with some coal oil in it, and the rest of the coal oil had been emptied on the furniture and the fire started with coal oil. A whisky bottle was left there that was not there the night before, and I thought it was some whisky people who wanted to give me a testimonial for my zeal in the Scott Act.

1516a. Do you think such events as setting fire to houses, throwing pepper and the like, had the effect of making the people a little timid and preventing them from actively enforcing the law?—I am sure it had; they were afraid.

1517a. Do you suppose that it had some effect in bringing about the repeal of the law?—Yes.

1518a. That is, a certain section of the people were terrorized by the violators of the law?—Yes.

1519a. Yet you believe that the law, so far as it was enforced, had a very good effect, and would have done much more if it had been enforced?—Yes.

1520a. How do you know whether there are unlicensed sellers in Peterborough now?—I do not know of my own knowledge that there are.

1521a. Of your own knowledge you do not know a licensee who violated the law?—I do not know of any.

1522a. Still you believe they do?—I believe they do. I have been told that they sell on Sunday and sell to minors. I am only talking hearsay, you understand.

1523a. Are you able to observe whether the traffic, as carried on under license, is having the effect of inducing boys and young men to drink, as the traffic did not do under the Scott Act, the illicit traffic?—I think the legalized traffic is more injurious than the illicit traffic.

1524a. So far as you can observe, are the young men of Peterborough given to any extent to the drink habit?—A few are. The greatest part of them are sober people.

1525a. Yet you say there are twenty-two taverns and some shop licenses?—Yes. In spite of this, we are mostly a sober people.

1526a. As a practicing physician you frequently come in contact with a large number of families. Now, we are charged to examine into the effects of the drink traffic on social conditions. What do you observe of the effects of that traffic upon the social conditions of the people?—It is injurious to a good many families.

1527a. And as to its effects upon the moral life of the people?—I think the habit of drinking is demoralizing, because a man cares less for his family and less for the truth if he is in the habit of drinking, than when he is sober.

1528a. Is total abstinence compatible with the best health?—Yes, it is.

1529a. If a drinking man falls sick, are his chances of recovery as good as those of a total abstainer who falls sick?—No. In the event of an accident a total abstainer has a better chance of recovery than a drinking man.

1530a. And how is it in case of fevers?—In the same way, a total abstainer has more recuperative power than a habitual drinker.

1531a. You think, then, that the physical life of the people would be better in general if the drink trade were prohibited and the drink habits lessened?—Yes.

1532a. Have you noticed whether the drink habit of parents has an effect upon their children, in that it lessens their vital power, or otherwise affects them injuriously?—Yes, I believe it has.

1533a. Are they more liable to brain and nervous diseases than the children of total abstinence parents?—Yes.

1534. I do not mean intemperate parents, but parents who drink habitually?—My answer would still be the same.

1535a. Have you given any attention to the matter of insanity?—I have a few patients under my care, but I have not made a specialty of studying that disease.

1536a. Have you observed in your practice that a certain proportion of intemperate people become insane, and if so, what percentage?—I cannot answer as to the percentage.

1537a. From your observation and your study of this matter, have you reason to believe that the drink habit is a producing cause of insanity to any extent?—Yes, to some extent. I have two cases in my mind now where insanity was induced partly by heredity and partly by the drink habit.

1538a. It is admittedly a difficult matter in which to arrive at an accurate conclusion, there are so many factors that enter into it?—That is true. I have had some cases of insanity where I could not tell the cause of it, and never knew.

1539a. You were not able to trace the history of the patients back far enough?—No.

By Mr. Clarke :

1540a. You have spoken about these outrages perpetrated upon yourself and others during the Scott Act period. Were the authorities frightened by these outrages, or did they cease from enforcing the law?—I do not think they were frightened. Of course, we who were the immediate victims were frightened at the time, but I do not think the authorities were particularly frightened.

1541a. Was there any relaxation of effort on their part in consequence of these outrages?—There is one case clear in my memory just now where a man who was zealous in Scott Act work had a big stone thrown through his shop window; and I think the Mayor and Town Council offered a reward of \$400 for information leading to the conviction of the person who did it. That does not look like being afraid.

1542a. Did you hear the Chief Constable give his evidence this morning?—I did.

JOSEPH A. FIFE, M.D.

1543a. You heard what he said about the condition of things which existed during the last year of the Scott Act?—Yes.

1544a. Have you any reason to doubt the accuracy of that statement?—No. But you could see that he and I are far apart, and we see differently.

1545a. Which of you would have a better opportunity of seeing and knowing the exact position of affairs?—The Chief knows a great deal more than I do, because he is among the people where drinking is going on, and I am very little among them.

1546a. You heard what he said about the condition of things that existed as to the sale of liquor?—Yes.

1547a. Is that condition of things likely to promote the moral welfare of this community?—No.

1548a. Did it promote the morals of the people to have a law on the statute-book that was so flagrantly and continuously violated as the Scott Act was here?—No, that did not promote their morals. Lessening the amount of drinking might do so.

1549a. Do you think there was a decrease of drinking during that time?—I think so.

1550a. You prefer, as I understand, the Scott Act with all its defects and lack of enforcement, to the present system?—With all its defects. I do not admire, nor apologize for, its lack of enforcement.

1551a. But you prefer the condition of things under the Scott Act to that which now exists?—Yes, I do, as a matter of principle believing that the license principle makes us, as citizens, participators in the profits of the trade, and has a bad effect on the community. For that reason I prefer to have no license.

1552a. Would you prefer a system similar to that existing in Charlottetown where no license is issued by the municipality or by the Province, but where the traffic is regulated by police enactment as to hours of opening and closing, and so on?—I do not know very well what their system is.

1553a. Their system is practically free sale, under police regulations. The citizens, in that case, are not partners in the traffic as they are under license?—I would rather not be made a party to it.

1554a. You do not want the municipality to be identified in any way with the traffic by obtaining a revenue?—No.

DAVID W. DUMBLE, of Peterborough, Police Magistrate, on being duly sworn deposed as follows:—

By Judge McDonald:

1055a. What position do you hold?—Police Magistrate, and I am a barrister.

1556a. How long have you resided in Peterborough?—I have resided thirty years in Peterborough, and I have been Police Magistrate ten or twelve years.

1557a. You were Police Magistrate before the Scott Act came into operation, during the time it was in force, and since?—Yes.

1558a. We understand you hold also the position of County Police Magistrate?—Yes.

1559a. Had you a colleague in that position?—Yes, Mr. George Edmison.

1560a. Now taking the state of things, say, for three years before the Scott Act came into operation and during the three years it was in force, did you find any improvement in the county with regard to such matters as came before you?—There was a time when the Scott Act was very well enforced, and during that time the liquor traffic was nearly crushed out.

1561a. When was that?—It was in the early part of the period, before the government changed the law which deprived the Magistrate of the power of giving half the fines to the informer, and before that change in the law which allowed the party to be put in the box and to be made a competent and compellable witness. These two changes destroyed the law.

1562a. What change do you mean with regard to a party being made a competent and compellable witness?—I mean the Evidence Act. Under the Scott Act he was competent and compellable. Then the Act was amended. Under the Canada Temperance Act, Revised Statute of Canada, 1886, page 1421, the person opposing or defending, or the wife or husband of such person was competent or compellable to give evidence in such proceeding. This was amended by fifty Vic., Cap. 34, Sec. 13, whereby the words "and compellable" were struck out.

1563a. We have been told to-day by the Inspector of Licenses and by Mr. Graham, that he found that one difficulty in enforcing the Act was the tremendous amount of perjury that was committed. The Inspector told us that when he called twenty-two witnesses, twelve of whom he knew had been drinking, the whole twelve would commit perjury in regard to it?—I think that was one of the demoralizing influences of the liquor traffic.

1564a. If a man who bought the drink would commit perjury, how would it be better to make him a compellable witness?—A great many of them, when put in the box, owned up.

1565a. They were really, then, a better class of people than the men who were calling these witnesses?—Some of them. Some of them would not lie for anything, respectable men; and others would go as far as they could with impunity.

1566a. Do you think it is evidence of respectability for a man to stand up and hear twelve people commit perjury on his behalf, and allow it to be done?—I am not saying that. The more respectable men would not allow it to go so far. They would own up.

1567a. Do you take it as evidence of respectability that a man would allow that to be done?—There are men who think themselves justified in evading the law. Of course they have their own opinion about respectability. Nevertheless, there are some men very respectable, who have always lived in our community as honourable and respectable men, who did break the law, and when they were caught they would own up.

1568a. Then the change in the law could have made no difference with those men?—When they went in the box they would not commit perjury.

1569a. But they would appear in court and state what was false by pleading not guilty?—I do not know that they used to state that. They had no chance. They would plead not guilty, in a legal sense.

1570a. Then when the case was investigated, would witnesses not prove their guilt?—A man who pleaded not guilty was very frequently proved guilty.

1571a. Now, if a law was passed prohibiting the sale of liquor in this community, and these men continued selling, they cease to be respectable members of the community to that extent?—They violated the law, which loyal men should not do.

1572a. Now those men coming into court, would plead not guilty, and put the prosecution to proof. In such cases was the proof forthcoming?—In some cases it was, and in some it was not.

1573a. Was there reason to believe in any of those cases where it was not forthcoming, that it was on account of the witnesses who were brought forward, committing perjury?—I think there was an immense deal of perjury, and evasion, prevarication and misuse of words.

1574a. Did you find, in Scott Act cases, more perjury than in the ordinary run of cases?—Immensely more.

1575a. Has that been your experience with regard to liquor prosecutions throughout?—It is always hard to get a conviction in a liquor prosecution, because the *habitués* of hotels will go a long way to clear parties who are charged.

1576a. Do you find the same difficulty in prosecutions under the License Law for selling on Sunday?—Not to the same extent. There are fewer prosecutions. Men do not make the same effort that they do in Scott Act cases. In Scott Act cases, we look for every attempt to tell anything but the truth.

1577a. Did you find that, in Scott Act prosecutions, there was greater sympathy for men who had previously kept licensed houses and been shut off by it, than for new men who would start up in the business?—Yes, there was naturally.

1578a. Did you travel over the county when you were County Magistrate?—No, the cases were brought to town and I tried them here.

DAVID W. DUMBLE.

1579a. You have spoken of another change in the law, the diversion of half the fines from the prosecutor. We understand that the whole fund should be paid to the municipalities for the purposes of the Act?—The first change was made by 49 Vic., Cap 48, Sec. 1. The provision was that, where no other provision is made by any law of Canada for the application of the fines, the same shall belong to the Crown for the public uses of Canada. Then there was a second clause to enable the Governor in Council to give it to the municipalities to use as they saw fit.

1580a. And that Order in Council was passed, I think, in the fall of 1886?—I do not know about the Order in Council, but an Act was passed.

1581a. I believe the Order in Council was passed in the fall of 1886, and we learn from the County Treasurer that in 1887 he received \$1,220 in fines. Since then the moneys have been going to the municipalities for the purpose of the Act?—In the first place the temperance people had an organization and employed private detectives; and when they had the money to pay for these services and to pay necessary expenses, they were disinterested and vigilant; but when the money got into the hands of corporations and under the control of councils and public officials, there was very much less zeal.

1582a. We are told by Mr. Graham, the Commissioner, and by the License Inspector, that they did their utmost to carry out the law, except that the Inspector tells us that his salary was so small he had to do other business?—Their utmost was very little. That Inspector lived in Lakefield; here is where the law was violated. When he came into town he was as if clothed in red, everybody knew him. Word was sent around at once, and every place was shut up. It was only when he employed different men, or unknown men, that this organization was able to bring home proof.

1583a. Other fines that are levied under any Act of Parliament, belong to Canada as a whole, do they not?—The law of England was accounted the law of Canada, but one half went to the informer.

1584a. It is not a rule that the moneys that are levied for the purposes of the public, belong to the public as a whole?—Well, that was the law, and that law answered the purpose of paying prosecutions with these funds.

1585a. Then you believe that if the Scott Act had contained a provision to enable the informer to get half the penalty, it would have been better enforced?—Decidedly. It seemed to give them the power to get all the means they wanted.

1586a. Now what is your experience as to the way in which informers are looked upon in the community?—There is too much stigma. A Government detective is an informer, a policeman is an informer.

1587a. Why is it that the informer who gets the benefit of the money and puts it in his pocket, is regarded with such dislike by the community?—The sentiment is there, but in this case the informer handed the money over to the people who employed him.

1588a. Under the law any man might become an informer for his own private benefit?—Yes, but we found very few instances of that kind.

1589a. You preferred that system?—I am simply stating what we did.

1590a. Would you favour the enactment of a general prohibitory law?—Yes.

1591a. How would you have that law enforced?—The same as the law against stealing.

1592a. By whom?—By the people.

1593a. Through officers appointed for the purpose?—Certainly. I would make it part of the criminal law, and enforce it by the Sheriff and constable.

1594a. You believe, in that way, you could get an enforcement?—Yes.

1595a. Take, for instance, a new community unprovided with officials?—Educate public opinion to enforce the law like any other law.

1596a. It takes time to do it, but you would hope that eventually the law would be observed?—Yes. There was a time in this community when people considered the Scott Act was a success, and when it was a success. They endorsed it. But when it was not enforced, but was violated, then they said: Rather than see the law openly violated like that, we would rather have no law. There was a large public opinion, but the members of the Council were hostile as a body. The constables and all the employees of the Council knew what would please the Council best, and they were less vigilant than they should be.

1597a. With the majority of the people and the public sentiment in favour of prohibition, why were not Councillors elected who would carry out the law?—You know the class of men that get into the Council.

1598a. Other issues enter into the election?—All kinds of things.

1599a. Did you find that men who were favourable to prohibition, would, in the question of electing Councillors, be governed by other motives?—To some extent.

1600a. Now we have been told by the Chief of Police, who came into office the last year the Scott Act was in force, that he received an intimation that so long as about \$400 were obtained from each of the men in the traffic in the county, they would not be troubled to any further extent?—At that time you could not put the man in the box, and unless you could get other evidence you could not convict him.

1601a. Did any of these men who were not fined beyond \$400, plead guilty?—Yes. The last year it was quite the habit to come up and give a wrong admission of guilt.

1602a. Was that done periodically?—I think practically that was the effect of it. Of course I had nothing to do with that kind of thing. I did not want to see it or know of it. But still I observed there was a tacit understanding that they would only be fined so many dollars.

1603a. But you noticed that those men were brought up occasionally?—Yes, they were fined often enough to get a license fee from them.

1604a. All first offences?—Generally speaking.

1605a. Were they men who had been in the traffic for some time?—Yes. That was the way of dealing with the ordinary hotel-keepers. The hotel-keepers themselves helped to prosecute the illicit sellers. They were competitors in the business, and the hotel-keepers would help to prosecute them.

1606a. Have you any reason to believe there is any unlicensed traffic going on now?—I do not think there are many places where liquor is sold that are not licensed. The hotel-keepers themselves will point them out.

1607a. That is your experience?—Of course, I do not see them do it, but they whisper it to the police. They won't show their hands in it.

1608a. Have you had instances of hotel-keepers employing men to sell illicitly?—Yes, they resort to all kinds of tricks.

1609a. I mean employing men in other parts of the county to sell illicitly?—No, I never heard anything of that kind. Most of our hotel-keepers are very respectable men.

1610a. Have you known any instances where they supply illicit dealers with the liquor to sell?—I have not heard of any.

1611a. Taking your experience, both as a Magistrate and as a citizen, if either the licensed hotels or the saloon is to be done away with, which would you prefer to get rid of?—The saloon.

1612a. We are told that in this town you have one saloon near the station, and that does not require to have the accommodation that hotels have?—I think there is an eating house at the station, whether it has the required license, I do not know.

1613a. Do you know if there is more than one?—There are several known as saloons, not known as hotels. They may have got a license, but they are practically saloons.

1614a. Now, apart from your being a Magistrate, but as a member of the community and as a citizen, would you favour the enactment of a national prohibitory law?—Yes, for the good I think it would do to the people.

1615a. And prohibiting the manufacture, importation and sale?—Of course it would it would be under limitations respecting liquors be used for medicinal, mechanical and sacramental purposes.

1616a. Have you considered at all the subject of making up for the revenue that would be lost? We are told that six or seven million dollars are now derived from the liquor traffic, and this sum would have to be supplied in some other way?—I do not think it is worth consideration. I think the Government means the people, and all Governments should be for the people. I think the dearest money they get is the blood money they get from liquor.

DAVID W. DUMBLE.

1617a. You think it should be got rid of at the cost of raising an income from some other source?—From any other source. That is the last source to get it from.

1618a. In regard to the enforcement of such a law, would you leave it to the same authorities to whom the enforcement of other laws is entrusted?—Yes.

1619a. In case such a law were enacted, would you favour remuneration to distillers and brewers for their plant and machinery that would be rendered useless?—I have thought of it in this way, that it would pay the country to do it. Of course we must remember that in regard to taverns they go into the business year after year running a certain risk, because they know of this agitation for prohibition, and they take the chances. But brewers have a large amount of capital invested and are not threatened from year to year with a loss of their licenses, and I think they ought to be compensated.

1620a. We are told that brewers and distillers are licensed from year to year, but practically it is a continuous license?—Well, they have an immense capital invested, a permanent investment.

1621a. The last witness told us of some outrages that had been committed, that were attributed by some people, without any proof, to the feeling about this Scott Act. Have you had any such cases brought into your court?—No, I had none of them.

1622a. They were never investigated?—No.

1623a. Do you find, during the years you have held the position of Police Magistrate, that drunkenness is diminishing?—I think there is less drunkenness than in former days, in the community generally.

1624a. To what do you attribute that?—Well, liquor is a good deal dearer, for one thing. It used to be twenty-five cents a quart for good whisky here.

1625a. Do you think the temperance societies and the churches have been exercising a good influence?—I think there is a better moral sentiment, and more regard to law and order. I think this Scott Act was an educator for good.

By Rev. Dr. McLeod :

1626a. How do arrests compare now with arrests during the Scott Act period?—They are very much more for certain kinds of offences. In the Scott Act days, whenever a man got drunk, they were afraid to keep him around the place, and they shut him out and everybody saw him. People made a great fuss about it. Now there are ten men drunk to one man then, and it attracts little attention.

By Mr. Clarke :

1627a. How do the arrests compare with the Scott Act period?—They are very much more now.

By Rev. Dr. McLeod :

1628a. How about crimes generally?—I have not made any examination of the returns. Being drunk and disorderly, lying around the streets drunk, cases of tramps and that kind of thing, are more numerous now. Vagrancy is more common than it was then. The law was not long enough in force, however, to have made much change in the habits.

1629a. In presiding over your court, have you noticed what percentage, if any, of the petty crimes of one kind and another that come before you, are traceable directly to the drink habit?—I think if the drink was blotted out, you could blot out the court and Magistrate, almost.

1630a. Your occupation would be gone?—Yes, sir.

1631a. With reference to this subject of perjury. Some people seem to think that perjury is caused by the law, that as soon as the law came, these men became perjurers. Or did something else cause it?—No, that is all a silly, and false argument. Many people argue in that way. But it was the demoralization caused by the liquor that produce the perjury.

1632a. Men perjured themselves who had become victims of the drink traffic?—Yes.

H. C. WINCH, of Peterborough, on being duly sworn, deposed as follows :—

By Judge McDonald :

1633a. How long have you resided in Peterborough?—About forty-nine years. I was born here.

1634a. How long have you carried on business here?—Well, I may say I have been in business ever since I was able to run. I have been carrying on business for myself over twenty-five years.

1635a. Have you held any position as municipal officer?—I have been a Town Councillor for a number of years.

1636a. Were you in the Council during the time of the Scott Act?—I was.

1637a. Are you at present?—I am.

1638a. What is the character of your town as a law-abiding and orderly place?—I think it is very good, one of the best law-abiding towns in Canada, comparing it with other places, from all that I have heard.

1639a. How in regard to the observance of the license law, which now exists in your town?—We have not heard of a great many arrests being made.

1640a. How did you find the state of things when the Scott Act was in force?—I think we were in a very demoralized condition.

1641a. Why?—For the simple reason that you could get liquor every day at nearly every corner.

1642a. We are told at present there are twenty-two licensed taverns and six or seven shops. Do you think there were more places than that at the time of the Scott Act?—I saw about twenty-two on one day.

1643a. But was it general?—As a general thing, there were many places, saloons and hotels, selling in an underhand kind of way. They were selling without license.

1644a. On what occasion was this when you saw a number of places where liquor was being sold?—I happened to be on the ice with a horse that day, and the horse had done pretty well, beating the other horses in the race. I was not much in the habit of drinking, but after I got off the ice, fifteen or twenty men came to me and asked me to take a glass of beer. All the biggest men came along and took me down a piece from the road, and pulled out a flask and offered me a drink. I remember going over to a cutter where there was a five gallon keg of beer covered over with a buffalo. A man had a glass who was dealing it out as poteen. I did not see any one who did not take a glass of it, or taste it. There were two or three cutters with kegs covered over with a buffalo.

1645a. Did you call the attention of the authorities to it?—May be the cutter would be gone by the time the authorities came up. They had eyes of their own and were looking around watching for the Inspector. I was not the Inspector at the time. I was not an informer either.

1646a. Did you go up through the rural districts at all while the Act was in force? I drove a good deal through the country.

1647a. How did you find the Act enforced in country parts?—I did not find it so bad. They were living up to the law pretty well, although in some places a safe man could get it. But every one could not get it. I could in pretty nearly every place I wanted it.

1648a. What was the state of sobriety in the town of Peterborough at the time the law was enforced?—I have seen a great deal of drunkenness.

1649a. Was there less drunkenness than before?—I do not think there was. There was a good deal more rowdyism at nights, a good deal more carrying on. I lived in the lower end of the town, and when I was going home one night I saw a lot of young men with a gallon keg of lager beer, down near the station, having a good time over it. Of course it was late at night, it happened to be on a Saturday night.

1650a. You know, of course, that the Scott Act did not prevent people from carrying flasks?—But I never saw it before in that way. A man would not carry it around in his pocket when he could get it on sale.

H. C. WINCH.

1651a. You mean that it led to the system of men carrying it in their pockets?—
Yes.

1652a. You told us there was more liquor being sold in the community during the Scott Act than before; then why would these men need to carry flasks?—Well, it was not for sale on the ice, at least they did not know it was, and so a lot of them carried liquor in their pockets. These were men who, perhaps, could not go to these places and get it.

1653a. How do you find things at present under the license law?—I think it an improvement, things are going better at present. Our town is quiet. There may be a few drunks around, but if you take the police books, I think you will find there is not as much drinking going on now as there was a few years ago.

1654a. The Police Magistrate has just told us that at first the liquor traffic was put out of the way altogether?—I do not know as he had many cases in court to prosecute.

1655a. Would you favour the passage of a general prohibitory law?—I would under certain circumstances. But I do not think it would be hardly fair or honest to throw men engaged in the business out of employment without giving them some compensation.

1656a. In case remuneration was made, would you favour the passage of such a law?—I would.

1657a. How would you expect to enforce it?—Well, I do not know. It takes a better head than mine to regulate that.

1658a. But still as a matter of principle, you would favour it?—As a matter of principle, if these men now engaged in the business get compensation. I do not think it is right to throw a man out of his business, throw him out of doors, for the simple reason that he is engaged in a particular business.

1659a. Would you apply that principle to men who are keeping licensed houses or to the brewers and distillers?—I would apply it to both. It is a man's little all in either case.

By Rev. Dr. McLeod:

1660a. You spoke about twenty-two places on the ice, did you count them?—When I said twenty-two, I did not suppose there was quite that number. I meant men, not places.

1661a. You could hardly call them taverns?—No, they were walking taverns. In those days men walked about with a belt around them concealing liquor, and they sold it in every shape.

1662a. Which do you think sold the most, the man with a flask in his pocket, or a licensed tavern?—A licensed tavern would sell it in a decent kind of a way, and where it would not do as much harm.

1663a. You said these men with flasks on the ice, who were carrying on that illicit sale, had to watch the officers. Why?—I suppose they were afraid of being caught.

1664a. I think you said the sale was just as open and free as ever it was, or something to that effect?—No, I do not think there was more liquor sold, but it was done in a meaner kind of a way, a worse way.

1665a. You said, also, that in the country certain men could get a drink anywhere, that is, people would sell it, not to everybody, but to men they regarded as safe. Whom did they regard as safe?—I suppose the men who had been in the habit of taking a glass, parties whom they knew would not give them away.

1666a. Would not give them away, even if they were called as witnesses?—I suppose some of them would do that. There was a good many of that class.

1667a. Did you know of this large number of saloons selling here under the Scott Act, to your own knowledge?—Only from hearsay.

1668a. Did you see them?—I have seen some cases. They used to have a good many different names for the stuff they sold. I could not say they were selling liquor. They had all kinds of names. One was called "Dumble on ice," another was called "Moxie."

1669a. So, they had to resort to something of secrecy?—Oh, yes.

1670a. Did the law cause that?—It must have been so, or they would not have resorted to it.

1671a. Then the law did produce that much effect?—It had the effect of making men change the name of the liquor.

1672a. And they did their business more or less secretly, since they could sell only to people whom they regarded as safe?—Yes.

1673a. And they carried it about in flasks instead of having open sales on the corner?—Yes, instead of doing it in a decent kind of way.

1674a. Do you think that a law which made you do your business in that way, made you do it secretly and caused you to call meat by another name than meat—do you think that law would be interfering with your business?—I would not want to do business in that kind of way, either the liquor business or the butcher business.

1675a. You would say that that law did interfere with your business?—Yes.

1676a. Would you either get out of it, or have the law repealed?—I would like to have it fixed some way.

1677a. Then do you conclude that the men who were driven to these resorts felt somewhat the effects of the law?—Yes, I do.

By Mr. Clarke :

1678a. Were any of these hotels selling during the Scott Act period?—Yes, I think they were.

1679a. How many?—I could not state from memory. A good many were selling.

1680a. As many as before the Scott Act, or at present?—I think there were more, I think every hotel sold, and a good many distillers. A good many persons have told me about being in private houses that were selling liquor outside the hotels, and I understood that all hotels were selling in an underhand kind of way. But I only speak from hearsay.

1681a. Were any of the hotels closed up?—I do not know of one. They went on and did business all the time the Scott Act was in force.

1682a. Did you hear the testimony of the Chief Constable regarding that understanding that was reached between the authorities and the liquor sellers?—I did not.

1683a. Was it matter of common report that such an arrangement was made?—No, I never heard of it. It may have been so.

REV. JAMES THOM, of Peterborough, on being duly sworn, deposed as follows:—

By Judge McDonald :

1684a. Do you reside in Peterborough?—Yes.

1685a. With what church are you in communion?—The Methodist Church.

1686a. How long have you resided here?—About two years and a half.

1687a. You did not reside here when the Scott Act was in force?—No. I resided part of the time in the County of Ontario, and part of the time in West Durham, when the Scott Act was in force.

1688a. How did you find the law enforced in the County of Ontario?—I was in Sunderland, Brock Township, North Ontario. It was enforced to a large extent.

1689a. Had you a vigilant Inspector?—That is a matter of opinion. My opinion was that he was pretty good. The opinion of a great many was against him, but my opinion was that he enforced the law better than some Inspectors who were regarded as more vigilant.

1690a. Did you find the effect of the law there beneficial on the whole?—Yes. I know a number of families in that village that became comfortable in consequence of the Act.

1691a. In what part of West Durham were you?—In Newcastle.

H. C. WINCH.

1692a. How did you find it work there?—It did a very great deal of good. While I was there the repeal took place. It was certainly admitted by all that the immediate effects of repeal were simply deplorable. A great many of the best people who supported the repeal had their eyes opened, and they would never have gone for repeal if they had foreseen the terrible results that followed. That was the widespread feeling at the time.

1693a. You were not in Ontario when the Scott Act was repealed there?—No, I had left.

1694a. In Durham the Act was carried by a large majority, I think?—I was not there when it was carried.

1695a. The Act was carried by a majority of 2,187, and in 1889 it was repealed by a majority of 627, making a difference of about 2,800, counting both ways. What reasons were given as leading to the repeal?—A very large number of people got disgusted with the sad lack of enforcement. At the same time, as I mentioned before, a good many people felt they had made a big mistake, and that, with all the lack of the enforcement of the Act, repeal was a vast descent into a bad state of things.

1696a. As far as you could learn, what led to the repeal?—The people who had supported and carried the Act had not received from it the amount of benefit they had expected.

1697a. And you think they had received a considerable degree of benefit?—A large amount. They thought they were going to be landed in paradise right away by the Scott Act.

1698a. Would the same remark reply to the County of Ontario?—I was not there, I could not say.

1699a. Now take Peterborough, how do you find the license law work here?—Well, I know a number of cases around me where liquor is producing deplorable effects. I know that. As to how the license act is enforced, I cannot compare the present with former years.

1700a. I suppose you are in the way of seeing whether what are called the prohibitory clauses of the License Act, are observed or not?—No, I am not. In passing along the street I have seen lots of young men going in and out of hotels, who seem to have no good business there, on Sunday evening after church hours.

1701a. Are you in favour of a general prohibitory law, prohibiting the manufacture, importation and sale of liquor?—I am.

1702a. Those who wish it for sacramental purposes, I suppose, you would allow to procure it?—Yes.

1703a. The Methodist Church, at their General Conference in Montreal, in 1889, pronounced the opinion of the church on this subject of prohibition?—Yes.

1704a. Do you concur in that deliverance?—Yes. It was the opinion of the General Conference.

1705a. Then in reference to another question that you have heard asked here to-day, would you favour remuneration to brewers and distillers for their plant and machinery that would be rendered useless in the event of the passage of a prohibitory law?—I would not.

By Rev. Dr. McLeod:

1706a. You are able, having lived in various places, to compare a community under a license law for a period of three or four years, with a community under the partial prohibition that prevailed under the Scott Act period. Now, what is your impression as to which of these two regimes is preferable?—The impression on my mind is that if partial and imperfect prohibition under the Scott Act did so much good, entire prohibition ought to do a vast deal more good.

1707a. You are of the opinion that partial and very imperfect enforcement of prohibition is decidedly preferable to any policy of license?—I think so.

1708a. You come to that conclusion from your observation of facts?—Just so.

1709a. Our commission instructs us to enquire into the effects of the traffic on social conditions and on morals. As a pastor, coming in close contact with a large number of families, have you observed that the drink traffic and the drink habit are responsible in any degree for poverty and distress, and the neglect of wives and children, on the part

of the head of the family?—Yes, very much so. It lowers the conscience, and seems to degrade the sense of right and the sense of responsibility on the part of parents. I know some cases where both parents are drunkards, and the sense of duty to their own children seems to have sunk very low, in fact, hardly seems to exist.

1710a. Do you know any other thing that has a like bad effect on families?—No, I do not.

1711a. From your experience and observation, do you believe that laws against existing evils have any effect in producing and strengthening public opinion against these evils?—I think so. I think they have an educating power. I think that in consequence of that law the conscience of people all over the country is fortified on that side.

1712a. Then, as a teacher of religion and morality, you believe that a law that is aimed at immoral practices is a helper of you in your teaching?—Decidedly; I think that is the effect.

By Mr. Clarke:

1713a. If these figures are correct, there was a majority in favour of the Act in Ontario in 1885, and three years afterwards, when the question was again submitted to the people, there was an adverse majority of 600?—I was not in Ontario when it was repealed. I was there when it was first passed.

1714a. In Durham, when the Act was submitted, there was a majority of 2,187 in its favour; three years afterwards that majority was changed into an adverse majority of 627 against the Act. Can it be possible that the people of those counties could not see that the community was being benefitted by the operation of the Scott Act during that time, and that in the face of that improved condition of things, they would vote the Act out of existence after three years?—There was another cause of dissatisfaction, in addition to the very imperfect enforcement of the Act, and that was that the people lost confidence totally in the Inspector.

1715a. In both places?—In Durham, the Inspector was in Bowmanville. The vigilance committee made representations to the Ontario Government to have the Inspector do his duty, but with no effect, and the people came to think that the Government was at the back of the Inspector, and they lost all confidence in him. Things grew worse, the law was almost wholly neglected at the last, so that the people lost all confidence in its enforcement.

1716a. And wanted to go back again to license?—As I said before, when they did go back they felt that the evils that rushed in were so much greater than they expected, that they had made a mistake, and that even an imperfect enforcement of the law was far better than no law at all.

1717a. Has there been any movement since then to have the Act re-submitted?—I have not heard of any.

1718a. They still retain the license system?—Yes. But I think the feeling is growing that as long as the Government authorizes and makes the manufacture of liquor respectable, it is hardly just to step in and forbid people selling it.

1719a. Have you studied the effects which have followed the adoption of prohibition in Maine, Kansas and other States?—To some extent.

1720a. Would you favour a more complete prohibition than that which exists in Maine?—In Maine the enforcement has been pretty thorough, except in a few large cities, such as Portland. But they have found in Maine, as we have found here, that as long as the enforcing officer was an appointee of the Government, the Act was a failure. He was appointed for political services, as he is with us; and it was only when such community had the power of selecting their own man to enforce the law, that it was anything like a success.

1721a. Under the Maine law, citizens are not prohibited from manufacturing or importing liquor for their own private use. Would you favour a more stringent measure of prohibition than that?—I would make it thorough.

1722a. And absolutely prohibit the importation, manufacture and sale?—Exactly, except for medicinal and mechanical purposes.

REV. JAMES THOM.

1723a. The reason you gave for the repeal of the Act, as far as Durham is concerned, was the dissatisfaction of the people with the way in which the Inspector discharged his duties. They lost confidence in him, and preferred to have the Act repealed?—That was the feeling.

By Judge McDonald :

1724a. You say you would prevent a citizen from bringing in liquor to use in his own house?—I would make it thorough.

1725a. Have you ever considered how the law would be carried out? For instance, how would you prevent importation?—Well, I do not know.

1726a. In the same way that you would prevent the importation of smuggled goods?—If I had to draw up an Act for that purpose, I would require a little time to think it over.

1727a. Mr. Winch, the last witness, told us that he saw men upon the ice carrying flasks in their pockets. Now, would you favour a system which would prevent travellers going into the country from carrying flasks in their pockets? Have you ever thought of the practical working out of that system?—I have not thought much of that; but I imagine Mr. Mackenzie Bowell would be able to find out a way to prevent it coming in. But I have not gone into it thoroughly. If I were at the head of the department, I would study it up.

1728a. I suppose it was found, after the Scott Act was carried, that there were matters of detail which became troublesome?—Yes, and the unfaithfulness of the officials.

1729a. Was there only one Inspector for Northumberland and Durham?—I do not remember. I only speak now of West Durham. The Inspector lived in Bowmanville. His inspection covered the whole district that I was acquainted with.

1730a. There would, probably, be one for each electoral district?—Probably.

1731a. That would make four for the two counties?—Probably so.

1732a. Do you know whether representations were made to the Government about that man?—Yes, repeatedly, to the Ontario Government.

1733a. What was the answer?—They were very zealous in the matter, of course, and would see to it.

1734a. Was the man retained in office?—It did not make a bit of difference.

1735a. Were further representations made?—Yes.

1736a. But you did not get him out of office?—Not a bit.

1737a. Do you know whether representations were made to the man himself urging him to do his duty?—Yes, letters were written.

1738a. What was his answer?—Oh, he was going to attend to it. He was going right away to visit these places, and when he came to attend to it, it was known ahead when he was going.

By Mr. Clarke :

1739a. Could you suggest any changes that would make the Act more workable? Would not the election of officers by the people to enforce it, be a movement in that direction?—I think it would, so far as I have studied the matter. I know it had that effect in Maine, from what I have read.

1740a. Can you suggest any other changes?—Well, I have not given the matter much consideration.

JOHN CLARKE, M. D., of Peterborough, on being duly sworn, deposed as follows :—

By Judge McDonald :

1741a. How long have you resided in Peterborough ?—I was born here, but was away for a number of years, and since then I have lived here ten years.

1742a. You are a physician by profession ?—Yes.

1743a. How long have you been in the practice of your profession ?—These last ten years.

1744a. You have heard the evidence of the previous witnesses in regard to the working of the Scott Act in Peterborough ?—I heard Mr. Winch. My evidence would agree with his in regard to the working of the Scott Act.

1745a. Do you think there was illicit sale going on ?—A great deal.

1746a. Was it confined to people who had previously had licensed houses ?—No, a great many others.

1747a. Was this sale concealed in a way, or did people know where to go ?—It was concealed in a way, and yet known to certain persons, known to those who wanted to get liquor.

1748a. Were efforts made by the authorities to put a stop to it ?—Not very much.

1749a. Did the sale keep on increasing while the Act was in force ?—At first I think it was very well enforced ; there was not much drinking, but afterwards it became very general.

1750a. Taking the state of things under the Scott Act and the state of things since the Scott Act was repealed, say for the last three years, which do you think preferable ?—During the earlier portion of the Scott Act, there certainly was much less drinking than later on. The condition of things at present is much preferable to that of the later years of the Scott Act.

1751a. Do you think there is much less drinking now ?—I do not say that. I mean the condition of things is preferable.

1752a. In what way ?—It is more open, more straightforward. I do not think there is much change in the amount of drinking.

1753a. How as to the amount of drunkenness that is visible between the latter years of the Scott Act and the present time ?—I do not think there is any difference, or very little difference.

1754a. We have been told to-day by the Chief of Police that he was here for the last year of the Scott Act, and he was given to understand that as long as he could get fines to the extent of \$400 a year from the men engaged in the traffic in town, he was not to interfere with them—men who had previously occupied hotels. Do you know anything about that ?—I know nothing about that.

1755a. Are you in favour of a prohibition law ?—Yes.

1756a. Are you opposed to the licensing of the traffic ?—Yes, I am.

1757a. Do you prefer prohibition ?—Yes, I am in favour of prohibition.

1758a. By that you mean a general prohibition law that would prevent the manufacture, importation and sale ?—Yes; except for certain purposes.

1759a. In case such a law was enacted, have you considered at all how the revenue of some six or seven millions now obtained from the traffic could be made up ?—I think it could be made up, undoubtedly. It would make the people better off. Drinking liquor is the cause of a great deal of poverty. It is a waste to a large extent.

1760a. Have you considered what way the Government should adopt to get that money, whether by increased duties or by direct taxation ?—I have not considered that.

1761a. In case of the enactment of such a law, would you favour remuneration to brewers and distillers for their loss of plant and machinery which would be rendered useless ?—Decidedly.

1762a. As a medical man in the practice of your profession among families, do you find evils resulting from the liquor traffic ?—Yes.

1763a. To any great extent ?—Yes, to a great extent.

JOHN CLARKE.

1764a. Have you had any cases where insanity could be traced to the use of intoxicating liquors?—Some cases, not very many. I could not state exactly the percentage. I find those cases are usually complicated with some constitutional taint or some other disease.

1765a. As a physician, do you approve of the use of alcohol for medicinal purposes?—Yes.

1766a. There are cases in which you think it is beneficial?—Yes.

By Rev. Dr. McLeod :

1767a. Did you receive a circular some time ago from the Commission?—Yes, but I did not answer it. It was too late.

1768a. We would be glad to have it almost any time, with the answers to the questions filled up?—Yes.

REV. WILLIAM R. YOUNG, of Peterborough, on being duly sworn, deposed as follows :—

By Judge McDonald :

1769a. How long have you resided in Peterborough?—I came here in June last.

1770a. Where did you reside the term before that?—I was two years in the village of Millbrook, in East Durham.

1771a. Where were you at the time the Scott Act was in force?—In the County of Lennox, in the village of Adolphustown.

1772a. Of what communion are you minister?—The Methodist.

1773a. When you were in Adolphustown, when the Scott Act was in force, how was it observed?—In the county in which I lived, it was fairly well enforced.

1774a. Are there any villages and towns?—There is the village of Adolphustown itself, a small place with a population of about 300.

1775a. What is the nearest place of any size?—Napanee was the county town. We were peculiarly situated geographically. Picton was nearer to us than Napanee; and the village of Glengarry was only two miles distant.

1776a. Did the people use liquor in their families in that section?—Not in my presence.

1777a. Where could they get it, if they got it at all?—They would get it from Picton, largely, and some from Napanee.

1778a. In that section of country, you think the Act was well observed?—I lived for a year and a half just across the street from the village hotel, during the time the Scott Act was in force, and I occupied the same place for six months before the Act came into force, and I had an opportunity of judging of its effect from the number of people I saw visit the hotel. I can safely say that the amount of drunkenness decreased perceptibly, so much so that some who were very much opposed to the Scott Act when it was adopted, voted against repeal.

1779a. How do you account for the repeal of the Scott Act in Lennox and Addington?—Well, the majority in favour of its adoption was very small, only thirty-six, and I think the majority in favour of the repeal was about three hundred.

1780a. Had the Dunkin Act been in force in Lennox and Addington?—It was in force for one year before the Scott Act.

1781a. I see the majority in favour of the Act when it was carried was only thirty-six; then the majority for the repeal was six hundred and four?—I was not in the county when the Act was repealed.

1782a. You do not know what immediately led up to the repeal?—Only from report, that it was not enforced in certain parts of the county.

1783a. You have reason to believe that the people did not receive from it the degree of benefit they had looked for?—No, I do not think they did.

1784a. To what do you attribute the non-enforcement of the Act in that county ?
—Well, I would say the lack of enthusiasm on the part of the temperance element.

1785a. And what about the officials charged with the enforcement ?—The officials at first, I think, did not do their duty very well ; latterly they tried to do it. Towards the close I do not think that the Inspector received the support from the temperance people he should have received.

1786a. When you went into Durham, was the Act in force ?—No ; I went from Adolphustown to Picton, Prince Edward County.

1787a. And there the law was not in force ?—No, there was a license law.

1788a. Prince Edward County is almost wholly a rural district ?—Mostly. In the town of Wellington where I lived there were two hotels.

1789a. How did you find the provisions of the license law observed there ?—Judging causes by effects, the license law was violated.

1790a. When you came into Durham, the law had been repealed ?—Yes ; I found a license law. I found four hotels and a shop in Millbrook.

1791a. How was the law observed there ?—I had to pass two hotels going to my church twice every Sunday, and it was not unusual to see a number of drunken men on the street all day Sunday. I did not see them drink. They might have bought the liquor on Saturday and kept it in flasks, but they were drunk on Sunday, and I suppose the natural inference would be that they procured the liquor at the hotels on Sunday.

1792a. Were there prosecutions of those places for breach of the law ?—A Government detective visited Millbrook once during my last year there and succeeded in fining three of the hotels and the shop for selling Saturday night and Sunday ; the shop for selling on Saturday night, and the hotels for selling on Sunday.

1793a. Was there an improvement after that ?—Not very much.

1794a. You have been in Peterborough since June ?—Yes.

1795a. How do you find the state of the community here ?—I think it is an improvement on Millbrook.

1796a. It seems to be a law-abiding and moral community ?—The place is larger, and possibly I do not see the results as I did in a small place.

1797a. Are you in favour of prohibition as a matter of principle ?—Yes.

1798a. Do you look upon the licensing of the traffic as a wrong in itself ?—I think that the licensing of the traffic makes the individual citizen a partner in the business.

1799a. You look upon the traffic as a wrong thing in itself, which should not be licensed by the community ?—Should not be licensed. Those who sell it should sell it upon their own responsibility, and not upon the responsibility of their fellow-citizens.

1800a. We have the deliverance of the Methodist Church, as adopted by the Montreal General Conference. Do you concur in that view ?—Yes.

By Rev. Dr. McLeod :

.801a. Did you hear the evidence of Mr. Thom ?—Yes.

1802a. I asked him a question concerning the effects of the drink traffic on home life. Do you concur in his answer ?—I do.

1803a. Does your own observation confirm his ?—Yes. I might even go further than Mr. Thom. The drink traffic seems to demoralize home life.

1804a. Have you found during the few months you have been here that the drink habit affects the young men to any extent ?—The treating system has a bad effect.

1805a. Would you attribute that to the legalized sale of drink ?—I attribute it to the fact that the law has placed the traffic in a semi-respectable position. I have found that young men will not, as a rule, visit places where liquor is sold illegally, that is, they will not visit them to the same extent as they will places where liquor is sold under the cloak of respectability.

1806a. You think that when the law provides facilities and gives character to the trade itself, it offers inducements to young men to drink ?—I do.

1807a. Have you observed in your experience of places under license and the places where the sale is prohibited, that frequenters of the illicit places are for the most part those who have the habit of drinking, not those who are beginners ?—I have found that

REV. WILLIAM R. YOUNG.

as a rule young men, who respect themselves, do not visit places where liquor is sold illegally. I think that is an answer to your question.

E. B. EDWARDS, of Peterborough, barrister, on being duly sworn, deposed as follows :—

By Judge McDonald :

1808a. You are a barrister-at-law?—Yes.

1809a. How long have you resided in Peterborough?—All my life, with the exception of a few years. I have practiced my profession for eighteen years.

1810a. It has been intimated to us that you were the solicitor for the Scott Act people?—Yes, at the time the Act was in force here.

1811a. Perhaps you had better make a statement to us with reference to that matter, how the Act worked, the difficulties and the advantages?—I was consulted by the Scott Act people with reference to the mode of proceeding in enforcing the law, before the Act came into force. Immediately following its coming into force, a private detective was appointed who took steps to find out quietly where liquor was being sold, and as a result of that, after two weeks, twelve or fourteen people were summoned before the Police Magistrate for violation of the Act; and I think that twelve people were convicted. Following that, a number of convictions were secured by the Scott Act Association, I think over thirty during the first three months. During that time the fines went, half to the informer, who was the man employed to lay information by the Scott Act Association. Although the fines were paid over nominally to him, in reality they went to the Treasurer of the Association, that is, half of the fines, and they were employed for the purpose of enforcing the law. During that time I consider that the law was very fully enforced, so much so that the hotel-keepers who were engaged in selling had become convinced that they could not succeed in evading the law. Then came a change in the law by which the fines were diverted, and from that time, the Association being deprived of the means of employing detectives and paying the heavy expenses it had, did not take so active measures in enforcing the law. Then there came the appointment of an Inspector to enforce the Act; and from that time out I think the law was not so well enforced. It fell then into the hands of the Inspector, and to a certain extent, of the police. The Inspector resided at Lakefield, and was not so well able to enforce the law, because most of the selling took place in Peterborough. The police, on the other hand, were not directly interested in it, and it happened that the Chief of Police who was in charge at the time, was not anxious to enforce it very vigorously. Consequently the Act, though successful in the earlier stages, became less successful as time went on; and during the latter years that the Act was in force, interest in it having ceased to a certain extent, it became almost a certainty that the Act would be repealed at the end of three years. It was during the last year that this arrangement is alleged to have taken place, of which the Chief has spoken, in consequence of a new Council coming into office. At all events, repeal was looked forward to as almost a certainty, and I attribute the repeal of the Act in a large measure to the fact that people had become disgusted with the non-enforcement, and also to some extent to the fact that after a certain time people usually desire a change. One defect in the Act, as it struck me, was that the importation of liquor was not prohibited; liquor could be brought in from the adjoining county, though the Act was in force in that county, and that led the brewers here to sell, as Mr. Calcutt has said. Then the fact that there was no finality about the law seemed to me to operate in making it more difficult to enforce it. It was looked upon as an experiment, simply a trial for three years' or from the time it came into force; I mean it was understood that it could be repealed at the end of three years, and I think that had a certain effect in lessening the weight and certainty of the law. The change in the law by which the defendant was not compellable to give evidence, also operated to make it more difficult to enforce the law. I observed in cases

which came before the Magistrate that when the sellers could no longer be put into the box and asked to state upon oath whether they had sold liquor, after that change was made in the law, they simply pleaded not guilty; and the men who had been drinking would very often shield the drink seller by evidence which was practically perjury, although they eased their consciences by saying that they were simply giving him the benefit of the doubt. In many cases the liquor was disguised, something was put into it to take away the ordinary taste of the liquor, and the witnesses said it was "Moxie," or something else of a different character, with something to make it look differently. In this way it became a difficult matter to enforce the Act by not having the evidence of the defendant. Then the system of leases adopted by the liquor sellers, created a great deal of difficulty. In many cases we attacked that plan as a fraud, and in many cases we were able to show that in reality the lease was merely a sham, that the man who had previously been convicted, was still carrying on a drinking business, and that the bartender to whom the lease had been made, was simply a make shift, and the Magistrate did not hesitate to convict where that was clearly made out. That difficulty, of course, might be obviated as a matter of law by making the man who was in charge of the place, directly responsible for the act of selling. That is a mere detail, however.

1812a. Would you suggest that, provided the second sale took place in the same premises, it should be held to be second offence, no matter who sold?—It seems to me that would be advisable. It seems to me, also, that inasmuch as there are a number of men engaged in the traffic who have to be watched, it is necessary that there should be more than one man to watch them. It appeared to me, while the Act was being enforced, that an Association like the Scott Act Association, which was interested in enforcing the law, was likely to be more successful, and was in fact much more successful than the individual Inspector who resided at Lakefield, and who, even if he had lived here, was not in a position to watch the entire working of the Act. I found during the course of my connection with the matter, as I was brought into close contact with the gentlemen in the Association who were getting information, that very often information came from others, from wives whose children and whose husbands had got liquor, and they came forward and gave information which enabled the Association to secure conviction. The fact that a large body of men were interested in enforcing the law, helped a great deal in securing useful information, where it would not have been given if there had been only a single Inspector. In my opinion the Association was much more successful than the Inspector or the police were afterwards. The Association being interested in seeing the Act enforced, were more zealous; but when they lost the sinews of war they could not maintain their organization successfully.

1813a. Now with regard to the dispositions of the fines, under the new system they were placed in the hands of the municipalities to be applied for the purposes of the Act, in other words, in the hands of the County Council?—Yes.

1814a. Is Peterborough separate from the county?—Yes.

1815a. So Peterborough had the use of its own funds?—Yes, after some delay. There were two or three Orders in Council passed, and there was a good deal of difficulty. The town raised an objection to the way in which the Order in Council was first passed. At first the money went to the county, and the town had difficulty in getting it put right and to get its share.

1816a. From the statement handed to us by the County Treasurer, we find that he received in 1887, for instance, \$1,220 for fines under the Canada Temperance Act; and the county had to pay out \$1,339.28, over \$100 more than it received, and that included payments to Magistrate Dumble and Mr. Edmison?—I do not think Mr. Dumble was paid by the town.

1817a. It appears Mr. Dumble got the county commission too. Do you think if your committee had had that money, you could have had brought about better results than were brought about by the Government Inspector?—I think so, decidedly.

1818a. Have you any suggestions to make as to what check there should be upon the expenditure of that money? Would you have that money given in charge of a cer-

E. B. EDWARDS.

tain number of local gentlemen to act in the capacity in which your Scott Act Association acted?—That might be advisable, and oblige them to account for the money.

1819a. In which case, as I understand you, they would honestly use the money for the purpose for which they obtained it?—Yes. I may say that I was not a member of the Association myself. They expended much more than the money they received from the town or the county.

1820a. Do you think, then, that when they saw that the money would have to come out of their own pockets to enforce the Act, it had some effect in preventing them from being as earnest as they would otherwise have been in enforcing the Act?—Yes. After they had expended all the money they had in hand, they found it difficult to get voluntary contributions.

1821a. I suppose they felt it was unjust that they should be put to private expense to enforce a public Act?—Exactly, they felt they had pledged themselves in advance to the payment of certain sums on the faith of the law as it stood at the time, namely, that the fines would go half to the informer, that is, to the Association. When they had exhausted their means and the change in the law took place, they felt that they should no longer be called upon to enforce the Act at their private expense.

1822a. You have heard the evidence given by the Chief of Police as to the understanding that had existed during the last year the Scott Act was in force, namely, that if any man paid fines to the amount of \$400 a year, he might keep on selling?—I cannot say anything about that.

1823a. As a citizen, did you know of that understanding?—I am Town Solicitor as well as a citizen. I do not know anything about it in fact.

1824a. Can you tell me whether the fines collected went into the treasury of the town?—I understand they did, though I am not aware of that fact as a matter of certainly.

1825a. Taking the fines that you know were received by the town, and the amounts that were expended for the purposes of the Act, would there have been a surplus in the hands of the town?—I cannot say as to that.

1826a. I will put it in another way. From your knowledge as a citizen, in case all the men who were in business in this town during the last year of the Scott Act, did pay in \$400 each in fines to the town treasurer, was there as large a sum as the total amount expended for the purposes of the Act?—I think not.

1826½a. Would you be favourable to a general prohibitory law?—Certainly.

1827a. Would you favour, in case a prohibitory law were passed, remuneration being given to brewers and distillers for their loss of plant and machinery that would be rendered useless?—I have not fully considered that question, but so far as my individual opinion goes, without having weighed it very fully, I think that they should not be compensated, on the ground that, having for years carried on a business which they have known might be put an end to at any time as soon as the community had determined to do so, they had a certain amount of risk to run.

1828a. In case of the enactment of a prohibitory liquor law, have you considered the means of enforcing it?—I believe that the law could be enforced as other laws are enforced.

1829a. Would you have it enforced as other laws are, by the usual officers?—Well, that is a matter of detail that might admit of some consideration. But as I said with regard to the Scott Act Association, I believe that those who are earnest in enforcing it would be more useful in enforcing a prohibitory law than a body of men who are subject to the orders either of the Government or of somebody behind the Government.

1830a. Comparing the time during which the Scott Act has been in force and the period which elapsed since it was repealed, do you notice a difference in the order and sobriety of the community?—I cannot say that I notice a great difference. But in speaking of the time when the Scott Act was in force, it has to be considered with reference to the two stages that I have referred to.

1831a. But I am asking you with reference to the whole period that it was in force?—I think there was less drinking during the greater part of the year 1886 than the law was enforced, for instance, than there was either before or since. During the time that the law was well enforced, I think there was much less drinking, and much less drinking

of what I would consider a harmful kind—that is, among young men and boys who are apt to be led astray into the habit of drinking.

1832a. Comparing the latter period with the present, what would you say?—Comparing the latter period with the present, I should say it was very much more.

1833a. In other words, after the Inspector and the Board had dealt with the unlicensed traffic did you notice any difference between that condition of affairs and the present?—I do not know that there was much difference. I think there would be less drinking under the Scott Act even then, because fines were being inflicted all the time, and people did not want to be called as witnesses.

1834a. In taking an active part in the enforcement of the law, did you find that there was quite a number of people who had voted for the Act, who were afterwards not very anxious to take part in enforcing it?—No, I did not. I think that the people who voted it were very much in earnest in enforcing it while they had an opportunity of doing so. After it was taken out of their hands, a different state of affairs existed.

1835a. Did you find that there existed, on the part of any of these people, a sympathy for men who had formerly held licenses, that would lead to their not being anxious to have them prosecuted?—No.

1836a. It was stated here to-day that there was such a feeling?—I was not aware of any such feeling. I did not find it exist amongst those who had been zealous for the passing of the Act.

1837a. Then to what do you attribute the repeal of the Act?—To the fact that it was enforced so badly during the latter stages, and to the earnestness with which the liquor men carried on the campaign for repeal, and the inactivity of the men on the other side who had found that between the two Governments at Ottawa and Toronto, they had been practically deprived of any opportunity of enforcing the law.

1838a. You think, then, that the people had not obtained from the Act the benefits which they had hoped for and expected when they passed it?—That is the case.

PETER HAMILTON, of Peterborough, manufacturer, on being duly sworn, deposed as follows:—

By Judge McDonald:

1839a. Do you reside in Peterborough?—I was born here and have always lived here.

1840a. Did you hear the statement made by the last witness?—I have been sitting here.

1841a. What is your opinion as to the effect the Scott Act had upon the community?—Well, I was in favour of the Scott Act at the time it was carried, and I was very much disappointed at the result.

1842a. Did you vote for its repeal, or to sustain it?—I think I refrained from voting, if I remember right.

1843a. In what way were you disappointed?—There was a combination of circumstances. In the first place, I found that it is pretty hard to convince people that a law should be carried out when there is only an imaginary line between a county where, on one side selling liquor is a crime, while on the other side of the road it is legal. It is a hard thing to educate people up to a conviction of that kind. That, I think, was one difficulty. Public opinion weakened. Although we were anxious to see liquor selling stopped, yet public opinion weakened from the fact that the prohibition was not general. Then there was the fact that the temperance people were not sustained very well, in different ways. The Scott Act being a Dominion Act, there was no proper provision made for carrying it out. The Inspector of Licenses for the riding of Peterborough, an Ontario Government officer, did not seem to look upon the Scott Act as anything that he had to do with.

1844a. I understand you are engaged in manufactures here?—Yes.

E. B. EDWARDS

1845a. Do you employ many men?—Generally from 80 to 100, sometimes more.

1846a. In what line?—Agricultural implements.

1847a. Do you find that your men are at all affected by the liquor traffic?—Yes; there are some who have acquired the habit of drinking, and we have a little trouble with them.

1848a. Did you find a beneficial change with reference to those men while the Act was in force?—I cannot say that I did.

1849a. Have you any rule as to the employment of men?—As a rule they understand that we will not keep them if they are not steady.

1850a. You do not require them to be total abstainers, but they must be steady men?—Yes, they must be steady men.

1851a. You do that as a matter of business?—As a matter of business, and as a matter of principle as well. I think it has a good influence on the men too.

1852a. Taking the period the Scott Act was in force and the time that has elapsed since, do you find any difference?—No, I do not think I do.

1853a. Would you favour a general prohibitory law?—I would, undoubtedly.

1854a. Prohibiting the manufacture, importation and sale, except for a medicinal, mechanical and sacramental purposes?—Just so.

1855a. As a business man have you considered at all the question of making up the loss of revenue?—I have not.

1856a. In case of the enactment of such a law, would you favour the granting of remuneration to brewers and distillers for their plant and machinery that would be rendered useless?—I think it would only be proper and right. The business is all right enough, it is the abuse of it that is wrong.

By Rev. Dr. McLeod:

1857a. It is sometimes said that the drink habit of an employee not only interferes with his own wage-earning power, but that it sometimes interferes with other men whose work depends upon his own?—There is no doubt of that; we have had cases like that.

1858a. So that he and others on his account, become an injury to your business, as well as an injury to themselves?—Certainly.

1859a. Have you noticed how much time in the course of a month a drinking man will lose on account of this habit?—I have not paid much attention to that matter. As a rule, our men seldom lose any time. Whatever they do, they seem to turn up in the morning all right.

1860a. I suppose you have not many men who are addicted to drink?—We have very few, and as a rule they understand that I do not like it, and they seem to try and avoid it as much as possible. I only have to complain.

1861a. You believe, however, that the prohibition of the drink trade would be an advantage to workingmen generally?—I think it would be a great advantage to the country.

WILLIAM EYRES, of Peterborough, farmer, on being duly sworn, deposed as follows:—

By Judge McDonald:

1862a. Where do you reside?—I reside in Peterborough.

1863a. What is your occupation?—I have been a farmer. I am now, I suppose, what you call a retired farmer, although I am engaged in farming in the North-west. I go out there sometimes to look after it, but I keep my wife and part of my family in this town.

1864a. How long have you lived in Peterborough?—A little over a year and a half.

1865a. Did you reside in the county before that?—No. I resided in Victoria County for about thirteen years, and prior to that time, in the County of East Durham, in the township of Cavan, about eight miles from here.

1866*a*. When you resided in Victoria, was the Scott Act in force?—The Scott Act came into force during my residence there. I was President of the Scott Act Association during the campaign, and for several years afterwards.

1867*a*. Were you there while the law was in force, and since it was repealed?—Yes.

1868*a*. I see that in that county, in 1885, the Scott Act was carried by a majority of 965, and it was repealed in April, 1889, by a majority of 992. Now, did you find the Act beneficial in the County of Victoria?—During the early period it was in force, it was decidedly beneficial, in my judgment. My residence was fourteen miles out of Lindsay, in the township of Mariposa, and four miles from Cannington, in the County of Ontario. I was more intimately acquainted with North Ontario, and knew the actual working of the Scott Act there by observation better than I did in my own county. But from my observation, during the early period of the time it was in force, it was decidedly a benefit to Cannington, Ontario County, and in Lindsay, in the County of Victoria.

1869*a*. To what do you attribute any change that occurred?—The taking away of one-half the fines from the parties who were seeking to promote the enforcement of the law, was a very heavy blow against enforcement. While we had that money, we had parties employed to look after enforcement, and we had money to pay expenses, and the law was a terror to evil doers during that period.

1870*a*. Did you find that private individuals acted as informers on their own behalf?—Through our own organization, principally. There were very few volunteers. They did not like to become informers.

1871*a*. Then after the change in the law by which the fines went to the municipalities, you found a difference?—We found a very marked difference.

1872*a*. Did your municipalities not use the fines for the purpose intended?—Our Council at that time were opposed to the law. I was a member of the County Council at that time, and I could not carry a motion through the Council to get even any portion of those moneys.

1873*a*. Did they go into the general treasury?—Yes, and they were kept there very largely.

1874*a*. To what do you attribute the repeal of the Act in that county?—To the very imperfect enforcement of the law, more and more imperfect as time went on.

1875*a*. Had you an Inspector there, such as they had in Peterborough?—Yes.

1876*a*. Did he do his duty?—Partially. He was an appointee of the Ontario Government. When we pressed for a more vigorous enforcement, we were told, not by our own Inspector, but by a high authority, that the Ontario Government were enforcing the law as far as public opinion would warrant them; and their action appeared to me just to resolve itself into this: We are not going to jeopardize ourselves on account of the enforcement of this Dominion Act. It looked to me like that.

1877*a*. Were representations made to the Inspector himself, urging upon him to be more vigilant?—Oh, yes.

1878*a*. What answer did he make?—He would promise faithfully, promise very well.

1879*a*. Did it end in promising?—Not entirely, but he became more inefficient as time rolled on, until finally his actions amounted to very little.

1880*a*. Then the Act was repealed?—Then those that supported the Act were disgusted with the treatment the temperance people received. They felt that they had taken hold of the Act in good faith, and worked hard, and paid out a large amount of their own money for necessary expenses in carrying out the Act. Being President of the Scott Act Association, I am not aware of a dollar being paid out for improper purposes. We spent considerable money, but in a legitimate way. We looked for a fair support from the officers of the law who were expected to enforce the law, especially after that portion of the fines was taken from our control. We considered that we did not get that fair support, and our people very generally were disgusted with the situation.

1881*a*. As a member of the County Council, you perhaps can inform us whether requisitions were made from year to year upon the Council to provide funds for the payment of the expenses of this Board of Commissioners and of the Inspector?—Well, I am

WILLIAM EYRES.

satisfied that they did pay those expenses upon requisitions, which came in the regular way. The County Council refused to set apart any portion of that money for the payment of a Police Magistrate for Scott Act enforcement.

1882a. Was there a Police Magistrate appointed for the county?—There was, without that pledge from the County Council.

1883a. The statute required them to pay his salary, did it not?—I am not aware of that. I know the Police Magistrate was appointed.

1884a. Not at the request of the County Council, though?—No, at the request of the Scott Act Association, and not until things had advanced pretty well along. I could not give the exact date when he was appointed. The Scott Act Association asked for the appointment of a Police Magistrate, and the Government appointed one not in harmony with our views.

1885a. Do you mean not favourable to the Act?—Strongly opposed to the Act. But I must say this for him, he made no concealment of his opinions. As President of the Scott Act Association, I waited on him with a very respectable deputation of the people of Victoria, asking that the Inspector of Police assist in the enforcement of the Act, the same as any other Act. His reply was: "The Scott Act is a relic of the dark ages, one of the Acts that cannot be enforced." Still, he gave us to understand that it should be enforced.

1886a. You are speaking of the Police Magistrate?—No; the Mayor of the town, who was afterwards Police Magistrate.

1887a. He told you that before he was appointed Police Magistrate?—Yes. We waited on him as Mayor of the town, asking him to instruct the police to enforce the law, to assist in enforcing the Scott Act the same as they did any other law. He was then Mayor of the town of Lindsay, and was afterwards appointed Police Magistrate. But I must say this for him: Notwithstanding his strong prejudice, and we were very much displeased when he was appointed, yet he did the square thing when evidence came before him. I think it is due to the Police Magistrate that I should make this statement alongside the other.

1888a. It is more than right, it is most important that it should be stated?—Certainly.

1889a. Because it is evidence that he did not allow his private opinion to influence him in his judicial action?—But it went to convince our people that the Ontario Government were not rendering us very important service; for they could not tell what this man would do after his appointment, and one of our determined opponents was appointed to enforce the Act.

1890a. Were you engaged in anything besides farming when you were in Ontario County?—I was engaged in brickmaking when I lived in the County of Durham before I moved to Victoria. I ran a brick yard within four miles of this town, and had a large contract in the timber line, and used to keep about seventy men in winter.

1891a. As a business man, have you found difficulty from the drinking habits of your employees?—Oh, yes, I found very great difficulty; in fact, drinking men are of no use to me. Once in a while I got hold of one. For instance, I had one man who was my head brickmaker, a good man but for his weakness for liquor. I had 200,000 bricks in the kiln. We fired up on Monday morning, as soon as Sunday was gone, and we calculated to get through by Saturday night by pushing the fires all we could. On Thursday we had the 200,000 bricks at white heat, which brickmakers will understand was just that heat that the bricks would almost run, and it was necessary to keep up that heat until Saturday night. When I came to open my kiln, I found that the bricks were not burned, and when I came to investigate, the information I got was that on Thursday night some person came to the brick yard with whisky and made my man drunk—I suppose they all got drunk—and he let the fires down, and the result was that 200,000 bricks, worth a thousand dollars, were spoiled, and it would have been just as well for me if they had put a large charge of dynamite under them and blown them all into the river. I have had some other experience with drinking men, and I have had to discharge them. There was one whom I used to send to market with my team to sell produce. I used to raise a large amount of hay, and on market day I used to trust

my man to sell that hay ; but I could not get a contract for the sale of hay, or wood, or anything else ; he would come home drunk, and I had trouble that way.

1892a. In case of the enactment of a prohibitory law would you deem it right that remuneration should be given to brewers and distillers for plant and machinery that would be rendered useless ?—I am opposed to compensation to these men for the reason that their traffic entails a heavy loss upon others who have nothing to do with it, just as it caused me to lose these 200,000 bricks. It entails a heavy loss on families in many ways ; and I hold that those who sustain the loss, especially through no act of their own, are just as much entitled to compensation as the men whose plant is rendered useless by the enactment of prohibition.

1893a. Then you are opposed to compensation ?—I am decidedly opposed to compensation, unless we compensate all hands that are injured.

1894a. Would you favour a general prohibitory law ?—Yes.

1895a. Would you favour permitting the manufacture of liquor needed for medicinal, mechanical and sacramental purposes ?—Certainly.

1896a. Would you propose that that should be manufactured by the Government or by individuals ?—That is a matter I have not considered.

WILLIAM F. CHAMAN, of Peterborough, on being duly sworn, deposed as follows :—

By Judge McDonald :

1897a. How long have you resided in Peterborough ?—Nearly a year.

1898a. What is your occupation ?—I am Secretary of the Young Men's Christian Association.

1899a. How have you found the state of things since your residence here, in regard to what you may call the social habits of the people ? Are they temperate and sober, or otherwise ?—I have noticed a much larger proportion of drinking places, licensed bar-rooms, in Peterborough, than I have been accustomed to see in other towns in Ontario.

1900a. Would you say that, speaking without regard to the relative population of the various towns ?—I was formerly in the city of Brantford, and I know something about the towns in the vicinity. I know a great deal about Brantford in particular.

1901a. Comparing Peterborough with Brantford, for instance ?—In Brantford, with about 16,000 inhabitants, we had 18 licensed bar-rooms. In Peterborough, with not more than 10,000, we have, if I am correctly informed, 24.

1902a. Have you any opportunity of observing personally the way those places are carried on in Peterborough ?—I am inclined to think, from observation, that the officers of the law do as well as they can to enforce the license law ; nevertheless, the law is violated on Saturday nights and Sunday. I see young men around the doors of those places, and from their appearance I think they have been drinking.

1903a. Does your association reach young men who have been in the habit of frequenting those places ?—Well, to some extent.

1904a. Are you, yourself, in favour of a general prohibitory law ?—I am.

1905a. You have heard the question put to other witnesses about remuneration to brewers and distillers ; what would you say as to that ?—Well, I have some doubts in my mind. Sometimes I think that on the whole it would be best to compensate them, but there may be objections that I have not considered. I would be opposed decidedly to compensating retailers, but I am not quite certain concerning manufacturers.

By Rev. Dr. McLeod :

1906a. You necessarily have a good deal to do with young men ?—Yes.

1907a. You are Secretary of the association, and a sort of General Superintendent ?—Yes, I suppose so.

WILLIAM EYRES.

1908a. Do you have in your association facilities for the entertainment and instruction of young men?—Yes.

1909a. Do you find in Peterborough that the treating system prevails to any extent among the young men?—I think it does, to a great extent. I think that it is more and more the cause of nearly all the drinking done by young men. I think the respectability which is afforded to the traffic by legalizing it, very largely promotes the treating system.

1910a. Have you observed, here and elsewhere, that the more attractive and pleasant saloons and hotel bars are made, the greater their influence over young men?—I think that is undoubtedly true.

1911a. Is there much drinking among young men in Peterborough?—I think there is a good deal.

1912a. Sometimes we hear it stated that drinking is altogether amongst what are called the lower classes, although I am so much a democrat that I do not see any lower classes or any higher classes. But some people say that drinking is largely among the lower classes, and that it is only the degraded who become drunkards. Now, do you observe whether the drinking is done by that class, or whether it is found among young men of good families, with good business connections and prospects?—I think that drinking prevails among all classes of young men. I have in my mind some cases of young men of very respectable families, who have been very seriously injured by the drink traffic.

1913a. Have you lived any time in a community where there was even a partial prohibition of the trade?—I have not.

1914a. Since we are instructed to examine into the moral effects of the traffic, I may ask you whether, in carrying on the work of your association and endeavouring to promote the morals and christian character of young men, you have found that the licensed traffic is a serious interference with your work?—I believe it to be so.

1915a. Do you know anything else that so seriously interferes with it?—I do not know any public thing, that is, anything aside from the inherent tendencies of the human heart, that so seriously interferes with the welfare of young men.

1916a. Have you observed that young men who have the drink habit are more likely to indulge in other evil habits, as a consequence of that habit?—I believe so. I think it is a companion of all other evils.

1917a. The companion of, and in some degree the promoter of other moral evils, you mean?—Yes, I think so.

MR. SAWERS.—Before the Commission rises, I wish to say that I am instructed by my clients to express their satisfaction with the fair and open manner in which the proceedings have been conducted.

JUDGE McDONALD.—On behalf of the Commission I will say that we are pleased to learn that such an impression prevails, and we would be very sorry if any other should have been created. I think the Commissioners are all of opinion that the witnesses who have been called, as a general thing, have been very ready to give us the information we desired, and have very frankly answered the questions put to them. As there are no other witnesses who desire to be heard, I now declare the sitting of the Commission closed, to meet again in the city of Hamilton, October 6th.

The Commission adjourned.

HAMILTON, October 6, 1893.

The Royal Commission on the Liquor Traffic met this day at 10 o'clock a.m.

Present :

JUDGE McDONALD. REV. DR. McLEOD. MR. E. F. CLARKE.

JUDGE McDONALD.—The sitting of the Royal Commission on the Liquor Traffic is now open for the despatch of business. I have to explain that the Chairman of the Commission, Sir Joseph Hickson, has just returned from Europe, and cannot be with us to-day. Mr. Gigault, another member of the Commission, has not yet joined us, but we expect he will do so at a later period. The subjects concerning which we have been charged to obtain data, are as follows:—

1. The effects of the liquor traffic upon all the interests affected by it in Canada.
2. The measures which have been adopted in this and other countries, with a view to lessen, regulate and 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 to social conditions, agricultural business, industrial and commercial interests, and to the revenue requirements of the 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.

Her Majesty's Commission was opened at Brockville on the 2nd of October, for this Province ; therefore it is not necessary to have the Letters Patent read again. It is usual in each place to begin by the examination of the Mayor, who I am glad to see is now present.

PETER C. BLAICHER, of Hamilton, Mayor, on being duly sworn, deposed as follows:—

By Judge McDonald :

1918a. How long have you resided in Hamilton?—I have resided in Hamilton or vicinity all my life.

1919a. In what business are you engaged?—I am in the druggist business.

1920a. Can you tell us, in round figures, the population of your city?—Our assessors, at the last assessment, make it a little over 49,000 ; but we count now about 50,000.

1921a. How are the business interests of the city made up? Are they manufacturing or commercial, or both?—Both, but more particularly manufacturing. We have large industries of different kinds carried on.

1922a. Name a few classes of business?—We have six or seven extensive iron works, bridge and ship building, rolling mills, cotton factories, machine shops, a large drain tile manufactory, and seven or eight brick manufactories.

1923a. Have you any shipping industries, or navigation companies?—We have the ship-building industry, and we have the Toronto Steamboat Company, the only line of shipping we have.

1924a. Do these various industries of which you have spoken, give employment to a large number of men?—To a large number of men.

PETER C. BLAICHER.

1925a. Now, taking your city as it is, with the classes of business there are carried on, do you find it an orderly and law-abiding place?—Yes.

1926a. You have a good class of citizens, then?—A good class of citizens.

1927a. And the men who are employed in those industries make a good class of citizens?—A very good class.

1928a. What is the character of your city for sobriety, comparing it with other places with which you are acquainted?—It compares favourably.

1929a. You are a member of the Board of Police Commissioners?—Yes.

1930a. How large a police force do you employ?—Fifty-two men.

1931a. I notice, in looking at the record before me, that in April, 1891, a vote was taken in this city upon the question of the enactment of the Canada Temperance Act, commonly called the Scott Act, and it was not carried. Do you remember the occasion?—I do.

1932a. According to this record, the vote in favour of the Act was 1,661; and against, 2,811; the majority against the Act being 1,150. Was there a vigorous campaign?—Not particularly. There was a great deal of talk, but I do not think there were any great exertions on the part of those who opposed it. It was a matter of discussion. The principal part of our population are British in our sentiment with regard to prohibition, and they feel that it would be an encroachment upon their rights and privileges. I have heard that argument so frequently made, that I think it is worth mentioning. I think that had an influence on the minds of the people in leading them to oppose it.

1933a. Do you advocate the passage of a prohibitory measure in the country as a whole?—I do not.

1934a. Are you able to form an opinion as to what effect the enactment of such a law would have upon the business interests of this city?—I certainly think it would have a beneficial effect so far as the city is concerned. We have a large population, and certainly there is a great deal of money wasted by the poorer class in the use of liquor.

1935a. In case such a law were enacted, prohibiting the manufacture, importation and sale of liquor, would you favour such limitation as would admit the importation of liquor for mechanical, sacramental or medicinal purposes?—I would not.

1936a. You would make the law sweeping, if passed at all?—I would make a sweeping law, if passed at all. But I would not favour the passing of such a law. I do not favour prohibition in that way.

1937a. But in case a prohibitory law were passed, you would favour an exception allowing the manufacture or importation of liquor for mechanical, sacramental and medicinal purposes?—We could not run our business—the chemist business—without the use of alcohol.

1938a. Then you would favour an exception that would cover such cases?—If it were carried. But I would not favour it in the first instance.

1939a. In case such a law were passed would you favour the importation or manufacture of liquor for medicinal, sacramental and mechanical purposes?—Yes, certainly I would.

1940a. In case of the enactment of such a law, would you consider it right that remuneration should be made to brewers and distillers for the loss of their plant and machinery which would be rendered useless?—I think so.

By Rev. Dr. McLeod :

1941a. You say you believe a prohibitory law would do good in the community?—In the city.

1942a. Yet do we understand you to say you would not favour the enactment of such a law?—I would not favour the enactment of such a law for the city, because people would get it from the outside. I have been in communities where the Scott Act was in force, and I noticed that liquor was used just as freely as if there were no such law.

1943a. Would you favour the passage of a national prohibitory law?—I would not.

1944a. And still you believe that a prohibitory law would have a good effect in this city?—I think prohibition would have a good effect upon the city, if it prohibited.

1945a. Have you observed how the drink traffic affects the social condition of the people of Hamilton, the home life of the people?—Yes.

1946a. Has it a good effect or a bad one?—I do not think it has a bad effect. I know, of course, that it has in individual instances; but on the whole, I do not think it affects the people injuriously in a social way. It affects the lower classes chiefly. I have observed that the use of intoxicants among the aborigines is a very serious matter indeed. If they can get liquor they are given entirely to intoxication; but as they become educated by our missionaries, we find they do not indulge so extensively as formerly. My opinion is that education is the proper prohibition. No British subject wishes to be deprived of what he regards as a privilege, and if the people want a greater degree of temperance to prevail, my opinion is that they must begin by educating the people and convincing them that they are destroying themselves by the use of liquor.

1947a. Have you observed whether what you call the better classes are affected in any way injuriously by the drink traffic and the drink habit?—No, not as a class; but as individuals, yes.

1948a. Is there any considerable percentage of individuals in what you call the better classes, affected by the traffic?—I do not think so.

1949a. Have you noticed whether the drink traffic has any effect upon the morals of the community at large?—Speaking of the artisans and the labouring classes, I do not think it has any immoral effect in our city.

1950a. Have you noticed whether the drink traffic affects the industries of this community, injuriously or otherwise?—Among the poorer classes, the lower classes, yes, among the labouring classes particularly, I think it does.

1951a. Then there are lower classes here. Why are they lower? Because they are ignorant?—Yes.

1952a. Unskilled?—I cannot in all cases say unskilled, but unenlightened.

1953a. Are the employees in those industries you speak of, affected by the drink traffic, that is, do they work less regularly?—I do not think so.

1954a. Are their wages wasted?—I do not think so.

1955a. Is their home life as good as it would be without the drink traffic?—The great bulk of it, yes.

1956a. You think, then, that the drink traffic, as it exists here, does not injuriously affect either the social conditions, the morals, or the industrial interests of your community?—In answering these questions I would like to have it distinctly understood that I speak of the city as a whole. There are instances where the drink traffic has affected individuals, and a very considerable number of them, injuriously, particularly among the poorer classes of people who apply for assistance.

1957a. Do you mean that a good many people need assistance because they have wasted their substance through drink?—A great many of them never had any substance. They are ignorant, and never seem to rise intellectually.

1958a. Is that because of the drink habit?—Not always.

1959a. Did the drink habit have anything to do with it?—We can point out instances where I think we might trace degradation and poverty to drink, I will not deny that, because I have been taking observations. But, taking the artisans and mechanics of Hamilton as a class, I think they are not injuriously affected.

1960a. But in individual cases?—In individual cases they are; and I think it is chiefly in cases where they are not properly educated to self-control.

1961a. You believe then, that the people who are enlightened and educated are less affected by the trade than what you call the lower classes?—Neither of them are more injured by it than they are by other habits or causes.

1962a. Do you think that the drink traffic, as it is carried on in Hamilton, is an advantage to the community?—I will not say that.

1963a. Do you think it would be an advantage to the community if the drink traffic were wiped out?—To the community of Hamilton—I think it would.

By Mr. Clarke:

1964a. What law is in operation at present for the regulation and control of the traffic?—The license system.

PETER C. BLAICHER

1965a. How many licenses are there in the city?—Something over a hundred, I think. I am not sure about the number.

1966a. How is the law enforced?—Not very well.

1967a. Are its prohibitory provisions reasonably well observed by those who have licenses?—Yes, pretty well.

1968a. I suppose, as a member of the Board of License Commissioners, and as a Police Commissioner, you have some general knowledge of the condition of affairs amongst the licensed places?—Well, in a general way I have. The traffic has been chiefly controlled by the License Commissioners. The Police Commissioners have hitherto had very little to say about it.

1969a. But the police, of course, enforce the law in regard to the hours of closing and the hours of sale?—I think so, pretty well.

1970a. Has there been any attempt made recently to reduce the number of licenses in Hamilton?—Yes, some agitation.

1971a. Has the question been submitted to a vote of the people within the last three or four years?—Not to the people, but to the Council Board.

1972a. Did the Council Board take any action?—They rejected it, and the number of licenses remained about the same.

1973a. Has there been any increase in recent years?—I do not think there has been any increase for the last four or five years. No considerable change; there may be three or four new men.

1974a. Do you know if there is much illegal sale in the city among unlicensed places?—I do not think there are many such places.

1975a. You spoke of your observations of the operation of the Scott Act in some other places. What conclusion did you come to as to the way in which that law was enforced?—I do not think it prevented the sale.

1976a. Would you prefer a system such as that which exists in Hamilton, a license system that restricts and regulates, to the condition of things that existed in Scott Act districts or counties?—I would.

1977a. In your opinion, what was the effect on the morals of the community of having a law like the Scott Act in force, and practically not observed?—I think it has an immoral tendency. There seems to be a strong desire on the part of the drinkers to hide themselves, and perhaps indulge to a greater extent than they otherwise would.

1978a. It has been said that the campaign which took place prior to the vote on the Scott Act, had a beneficial influence on the community as an educator; and that notwithstanding the only partial enforcement of the Scott Act, beneficial results have been obtained from the educating influence of the campaign and from the delegalization of the traffic, rendering it disreputable. What is your opinion with regard to that?—Well, I never gave that much consideration; but I certainly would think that discussion on the question would have beneficial results.

1979a. Then, as a matter of course, good results flowed from the adoption of the Scott Act?—I do not say that; I say from the discussion of it.

1980a. Do you think that the city here was benefited by the discussion which took place before the Act was submitted and defeated?—I think so.

1981a. Have you given any attention to the effects which the enforcement of a prohibitory law has had, say, in Maine, or Kansas, or Iowa?—No, I have not. I have never given much attention to that question, except as a casual observer of what goes on.

1982a. Do you think it would be possible, with the ordinary machinery of law, to enforce prohibition in a large centre of population like Hamilton?—I do not think it would.

1983a. I understand you to say that you believe, if prohibition were possible, that it would be beneficial?—In a community like Hamilton with so large a labouring population.

By Rev. Dr. McLeod:

1984a. You say that the provisions of the license law are well observed by the licensees. For instance, the law prohibits the sale after certain hours in the evening

and before certain hours in the morning, on Sunday, and to certain people; do the licensees observe those prohibitions?—Not so well as I would like.

1985a. Is it a sort of "Go as you please"?—No, I cannot say there are a great many breaches of the license law. But of course, the law is continually being violated, the restrictions are not observed.

1986a. Are those violators sometimes punished?—Yes, occasionally.

1987a. Are licenses ever revoked on account of persistent violations?—I do not think we have had any instance of it.

1988a. Of course, the law provides that the license shall be revoked after a certain time?—We have in some instances fined parties two or three times, and perhaps three or four times. But I do not think there is any instance of revoking a license.

1989a. Do you think it would have a good effect if that feature of the law was, more strictly carried out?—I think so. For the second or third offence, I would disqualify them altogether.

1990a. Have you any reason to believe that there are people selling without a license?—Not extensively. There are some.

1991a. Are they hunted out?—One very bad case was hunted out by the police within a fortnight.

1992a. And the person punished?—Punished by a heavy fine.

1993a. Do you think there are some such persons carrying on the trade more or less extensively?—I do not think there are very many. There might be two or three.

1994a. Do you regard a hundred licenses as a large number for a city of 50,000 inhabitants?—Yes, it is more than we need.

1995a. Taking the licensed places generally, are they what is called high grade, or are they of all kinds, high and low?—Well, I think there are too many of them of a low grade; they are just drinking places, and that is one thing that the temperance people here have complained of, with perfect right, that the Commissioners license houses as hotels which have no accommodation for travellers. That has been a very serious complaint.

1996a. The law requires them to have accommodation for travellers?—For a hotel license. In my opinion, that is a very serious complaint. Knowing the different properties as I do, I think that should be corrected.

1997a. Speaking about property suggests another question. Does the establishment of a saloon in the vicinity of a property, enhance the value of that property?—It very materially enhances the value of the property in which the saloon is.

1998a. But the adjoining property?—I do not think it does.

1999a. Does it have any effect on insurance rates for the adjoining property?—I do not think so.

2000a. But it depreciates the value of the adjoining property, more or less?—Yes, rather.

2001a. Have you quite an intimate knowledge of the provisions of the Scott Act?—I cannot say that I am intimately acquainted with it—only from visiting counties a few times where the Act has been in force. I have not lived in a Scott Act county.

2002a. So that your knowledge would be from a hurried visit and from hearsay?—Yes. I have a large circle of friends in an adjoining county here, that I meet with very frequently, I visiting them and they visiting my family. I refer to the county of Halton.

2003a. That has been a sort of battle ground?—Yes. It is populated by an excellent class of people. The great mass of the people in Halton are intelligent.

2004a. Was not the law pretty well enforced in Halton?—I think so, in the village. But the farmers would bring in their kegs—kegs were at a premium about that time—holding five or ten gallons, and they carried liquor to their houses in kegs, where they used to sell by the quart.

2005a. It gave a boom to the cooper business?—Yes, it did.

By Mr. Clarke :

2006a. The result, then, of the adoption of the Act in some localities, at any rate, was to increase drinking in the home by the farmer?—Yes, I think so. They drank more.

PETER C. BLAICHER.

2007a. Do you think that was a beneficial result, or rather a disastrous one?—I do not think the farmers in that county injured themselves particularly by drink. It is mostly beer they used.

2008a. Was it a better condition of things to have them bring liquor in kegs, and demijohns, and jars into their homes, or to go to the taverns and get it? Which was the more preferable in the interest of temperance and morality?—I can scarcely say.

2009a. You have not formed any opinion about that?—No.

2010a. Is there any good reason why an ordinary drinking shop, or saloon, that has no accommodation for travellers, nor restaurant in connection with it, should be licensed?—I do not think so.

2011a. Have you many saloon licenses in Hamilton?—There are very few with regular saloon licenses; but we have quite a number of places that are really saloons and are for no other purposes than for drinking, although they have what are called hotel licenses.

2012a. If it were determined to abolish either the hotel or the saloon license, which, in the interest of temperance, would it be preferable to suppress?—The saloon.

2013a. You have no doubt about that?—I have no doubt about that.

2014a. The Commission has been told in many places that if one or the other were to be suppressed in the interest of temperance, it would be preferable to suppress the hotel license, on the ground that young men go into a hotel in the evening ostensibly to see friends, or meet travellers, or something of that kind, but really to visit the hotel bar, and that there is an amount of secrecy observed in that way which is not carried on in the saloon. If a young man enters a saloon, it is understood that he goes in there to drink. Under these circumstances, do you think it would be preferable to abolish the saloon rather than the hotel license?—I think so, most decidedly. I may say that I have observed here very few slinking drinkers. They go right up and ask for what they want.

2015a. Would you favour heavier penalties being imposed upon license holders for violation of the law, that is to say, that after having been convicted of two or more offences the license should be revoked?—Yes, decidedly; I think it would be an improvement on the present license system. It would disqualify those who ought to be disqualified when they break the law, and let in others, and we would get a class of men who would observe the law. There are few here, considering the number in Hamilton, who observe the law closely and keep their places respectable, and these, as well as the temperance people, complain of the others who do not observe the law.

2016a. You think it is advisable, as long as a license is given to the trade, that it should be kept as respectable as possible?—I think so.

By Rev. Dr. McLeod:

2017a. Are the License Commissioners for Hamilton appointed by the Provincial Government?—Yes.

2018a. So that in reality the corporation here does not control the matter?—They do not control the matter of licenses.

2019a. Do your police look after infringements of the law, or is that done by the Inspector appointed by the Provincial Government?—It is supposed to be done by the Inspector, and for the last year or two he has had an assistant, and has been more active than in former years. In consequence of that assistant, the Police Department have not considered this matter to be in their line. But very lately the matter has been stirred up a little in the Police Commission, and they have discovered a very bad place within the last fortnight, and I suppose they have got it entirely rooted out.

By Mr. Clarke:

2020a. Has there not been some announcement made recently that there would be an investigation into the operation of the license law here?—I do not know.

2021a. I think there has been an announcement in the papers that it was the intention to appoint a Commission to examine into the operation of the license law. Would that fact have anything to do with the extra vigilance of the Inspectors and the police now?—It might. I think two years ago the Commissioners were changed here

and were supplanted by other men. They are all respectable men, but very strong politicians.

2022a. Quite recently there has been an announcement made to the effect that it was proposed to have an investigation into the operation of the license law here?—I think I have seen the announcement on more than one occasion. There was a good deal of dissatisfaction at the operation of the law, and it was proposed to ascertain what grounds there were for the dissatisfaction. Do you know anything about that?—No, I do not.

By Judge McDonald :

2023a. As a general thing, do the same people have licenses from year to year?—Pretty nearly. There are a few changes going on all time, but it is pretty nearly the same people, and invariably the same buildings. Some of those saloons have not been changed for ten or twelve years.

G. F. JELFS, barrister and Police Magistrate, of Hamilton, on being duly sworn, deposed as follows:—

By Judge McDonald :

2024a. How long have you resided in Hamilton?—Twenty-one years.

2025a. How long have you practised your profession?—Ten or eleven years.

2026a. How long have you been Police Magistrate?—Only since last May.

2027a. Your observation of the working of the license law has been that of a citizen rather than of an official?—Yes.

2028a. Since you have been Police Magistrate, have you had many prosecutions before you for breaches of the license law?—I have had, perhaps, eight or ten, may be more, for selling within prohibited hours, and selling without license.

2029a. Any case of selling to minors?—No.

2030a. Or to Indians?—No.

2031a. And the prohibited hours?—On Saturday night, and just one case of selling during the hours prohibited by the Police Commission, that is, from eleven o'clock in the evening until some hour in the morning.

2032a. Of the cases that came before you in that court, were there many that arose out of the use of liquor?—I think crimes have been induced by the use of liquor; I do not say it is the cause of them.

2033a. Then, I suppose, a good many cases, perhaps a large proportion, are cases of drunkenness?—Yes. I suppose cases of drunks would exceed all the rest in number. But in Hamilton there are not many cases.

2034a. His Worship the Mayor has told us that this is an orderly and law-abiding community?—That is my opinion, both as a citizen and as an official. Sometimes we have no cases on the docket at all.

2035a. I suppose, taking the class of population you have, men working in factories and the various industries, one might expect even a greater amount of rough conduct than in a fairly rural district?—I think so, especially as we have a certain number of sailors coming into our port.

2036a. Yet, notwithstanding these elements of the population, you find the place orderly?—Yes. Moreover, this is a kind of depot for tramps coming from the other side, a great many transient people.

2037a. You are a member of the Board of Police Commissioners?—Yes.

2038a. Has that Board anything to do with the enforcement of the license law, directly or indirectly?—Indirectly, in seeing that the police do their duty in that respect.

2039a. Then the police in this city are directed to see to the enforcement of the license law?—They are directed to do all they can in having the license Act obeyed.

PETER C. BLAICHER.

2040a. Are the officers at the service of the Inspector of Licenses?—Yes, they help him carry out the law.

2041a. Do you know how many licensed places there are in the city of Hamilton?—No.

2042a. Do you think there are more than are needed for the requirements of the population?—I should say so, on the principles that I hold. I do not believe in keeping open saloons; I do not see any use for them at all.

2043a. If either were to be abolished, the hotel or the saloon, which, in your opinion, should be got rid of, in the interests of the community?—I should say the saloon, certainly. I do not see any use for saloons at all.

2044a. How many places have you in Hamilton that should be called saloons, that have not the accommodation required for travellers?—They may have the accommodation without its ever being used. That is my observation.

2045a. But they are enabled to pass the examination of the Inspector?—I should judge so. I am not speaking from any certain knowledge.

2046a. You think from the knowledge you have, that there are places in Hamilton which really depend upon the drink traffic?—Yes, certainly.

2047a. Is there any regulation here to prohibit or to prevent the sale of liquor in connection with billiard rooms, to keep them entirely separated?—I think not. A billiard room, of course, has no right to sell.

2048a. But, I mean, is there a regulation preventing a man who sells liquor from keeping a billiard room in connection with his house?—No, I think not.

2049a. Have you had any experience yourself of the working of a prohibitory law?—No, none more than my general observation of the Scott Act.

2050a. In the County of Halton?—Yes.

2051a. Was the Scott Act in force in Welland?—No.

2052a. Was it in force in Lincoln?—I am not sure.

2053a. Have you had an opportunity of seeing the working of the Scott Act in the adjoining County of Halton?—I have been there, attending courts.

2054a. How did you find the law observed?—I found difficulty in getting what I wanted, if I wanted anything.

2055a. In case of the enactment of a prohibitory law, preventing the manufacture, importation and sale of intoxicating liquors, would you deem it right that remuneration should be made to brewers and distillers for their plant and machinery which would be rendered useless?—Yes, I think that is just.

2056a. Do you yourself advocate the passage of a prohibitory law?—No, I do not. I am strongly opposed to it.

2057a. On what ground?—On general principles, that you are attempting to do something that never should be done, interfering with the rights of the subject. I do not believe, when men give up their civil rights, or a portion of them, they should give up the right of doing a thing which is not wrong in itself. Apart from that, I do not think you could ever satisfactorily enforce it. To enforce an Act of that kind would be worse than the offence itself.

By Mr. Clarke:

2058a. In what way?—I do not believe you would have the public sympathy in enforcing that Act. There would be a reaction, even among the temperance men. When a man is placed in the dock charged with doing that which he felt was no sin in itself, but is called a sin by Act of Parliament, the public will always sympathize with him. You could never enforce it. The law would be a farce.

2059a. Did you have some opportunity of judging of the operation of the Scott Act in counties where it was law. In trials for the violation of the Scott Act, was there much perjury or false swearing occasioned by the attempted enforcement of the Act?—I could not speak with entire certainty as to that, but from my own observation of cases that came before me, there was any amount of perjury resorted to. I am satisfied that in those cases there are people who will swear to anything to get off.

2060a. Also in cases where parties are charged with violations of the license law?—Yes, I suppose the same would be the case.

2061a. Have you given attention to the effect of the operation of prohibitory laws upon the morals of the community?—Nothing more than what I have read on both sides. I have not formed any particular opinion as to that.

2062a. But you have concluded that you would not favour prohibition?—I certainly would not. I hold different views from other people on that point.

2063a. Do you think it would be possible to enforce a prohibitory law in Hamilton?—I think not. You could not do it.

2064a. Regarding the operation of a license law, is there much difficulty in securing compliance on the part of the licensees with its prohibitory provisions?—There is great difficulty, and there is great difficulty in detecting violations for the reasons I have stated.

By Rev. Dr. McLeod :

2065a. Do you think it would be possible for you to give us from your records, a statement of the total number of offences dealt with by your court, designating the number of drunks, so that we can see the proportion they bear to the whole number?—You can just add up the total number and take out the drunks.

2066a. Have you presented a report to the City Council?—I think, perhaps, the Chief of Police has something of that sort.

2067a. We would like to know the number of offences that are tried in your court, and the classification?—I should say that the drunks would be the larger number, then cases of assault.

2068a. Your observation is that these assaults are more or less connected with drink?—No, independently.

2069a. Not induced by drink?—In some cases induced by drink; but I should say there were more cases of assault with which drink had nothing to do.

2070a. Would there be cases of assault where the parties were total abstainers?—I could not say as to that, but there was no question of drink. They were not drunken rows.

2071a. Would the parties be more or less addicted to the habit of drinking?—Oh, yes; I should say they are drinking men.

2072a. Is there a large number of total abstainers coming before your court charged with offences of any kind?—The question may be put as to their being drunk, but it was never put as to whether they are total abstainers.

2073a. What is your judgment, from your general observation, with regard to the people who come before you?—I should say that they drink, as a rule.

2074a. Have there been very many cases for the violation of the license law?—My belief is that if a man has a bad disposition, it will come out more quickly when he is drunk than when he is sober. But a man may be of a good disposition, and the drink would not alter that at all.

2075a. I think you said there had been a good many cases before you for violation of the license law?—No, not since I was there. I think, perhaps, five or six cases.

2076a. I notice that in this report to the Provincial Treasurer, where Hamilton is mentioned, that the fines collected in 1890 amounted to \$1,080, and in 1892 to \$1,481, a considerable increase. Now, do you know if these fines were imposed upon violators of the license law, or are they the total fines for all offences growing out of the drink traffic?—I am not sure about that.

2077a. These are probably fines against violators of the law in one form or another? Yes, all put together.

2078a. I notice the expenses of Commissioners, salaries of Inspectors, have increased from \$1,200, in 1889-90, to \$1,925 in 1891-92?—I think that is partly accounted for by the appointment of an assistant License Inspector, who is a very efficient officer. There have been more prosecutions and more detectives.

2079a. Have you any reason to know whether there are many illicit sellers in Hamilton, men who have no license at all?—I should say not. Violations are thoroughly looked after in all these cases. The officials are very earnest and attentive in following up any case they get, and sometimes they find it very difficult to convict. Not long ago they succeeded, after repeated efforts, in closing up one very bad place.

G. F. JELFS.

2080a. The diligence of the police in this matter is very recent, is it not?—I could not speak as to the action of the police before I came on the Bench.

2081a. But up to a recent date the police were under the impression that they had nothing to do with this matter?—It arose, I think, in this way: There has been of late an effort to stir up the License Commissioners and others to enforce the Act. In one of the papers in Hamilton complaints were made that it was not being enforced by the police as much as it should be. I do not think that all the Police Commissioners are agreed now that the police should devote so much time as is expected of them in looking after these violations. There is a difference of opinion, because it is not altogether advisable that policemen should be watching a house for an hour at a time. Sometimes the Inspectors have given evidence that they watch houses in the city for a long time before they could get an opportunity of detecting the violation.

2082a. It is difficult to keep them regulated?—Yes, and for the reason that the police were not directed to watch them as closely as they are doing now. But they were instructed to use diligence to detect offences against the Act.

2083a. Now, what has been your observation, as a citizen, of the effects of the drink traffic as carried on here, upon the social conditions of the community, the moral life and the industrial interests of the community?—There is no doubt that there are many cases in which drinking must have a bad effect, but I do not think it is at all as bad in this community as elsewhere. Of course it exists here as a social evil, but perhaps not to the same extent as in some other places of a similar size. But I cannot speak with much authority, because I am not very sociable myself; I am not much in society, and cannot speak from actual knowledge.

2084a. What we would like to get at is, whether the traffic, in its effects on the social conditions generally, on the moral life of the people and on the industrial interests, is good or bad, and whether the removal of the traffic, if that were possible, would improve those conditions and interests?—No; I think, taking it altogether, it would not.

2085a. Explain a little more.—I think the people would be drinking just the same under prohibition. I do not see how you could prevent it. We are so close to the American border that there would be smuggling carried on, cheating, lying and perjury, things worse than the drinking itself.

2086a. Do you think the license system regulates the trade to any extent?—I think the license system is unjust. It is class legislation, and it enables liquor to be sold by large monopolists. If I had the making of a law, I would remove all restrictions on the trade and have free sale. I would punish a man for adulterating liquors.

2087a. You think, then, that the license system creates monopolies?—Yes; it is keeping up large breweries with large capital, and cutting off the smaller ones.

2088a. In many places the licensed saloons are not owned by the men who run them. The men who run them are simply the employees or agents of large brewers or distillers. How is it in Hamilton?—It is often so, I believe, directly or indirectly, to a large extent.

2089a. I have seen a statement to the effect that there are at least 60 licensed places in the city of Hamilton really owned by one man?—I could not say as to the number, but I believe they are so greatly interested that you may say they have control of them. I do not believe in such monopolies.

By Judge McDonald:

2090a. You have just spoken of a matter to which our attention has been called in other places, that is, with regard to the adulteration of liquor. Have you reason to suppose that there is adulteration of liquor at the present time?—I think there must be. I do not think the whisky that you can buy in ordinary places is fit to drink.

2091a. I suppose there is a temptation to adulterate, in order to make a greater profit?—Yes.

2092a. It has been represented to us, also, in some places, that where liquor is diluted with water to increase the volume, something must then be added to give strength and fire to it, and that deleterious substances are used for that purpose?—Yes, that is the greatest evil. I have no doubt they do it.

2093a. We have heard in some cases that tobacco is added, and in some cases what is called bluestone?—Yes, I have heard bluestone mentioned.

2094a. Would you favour a provision in the law which would require frequent inspection of liquors?—I would, certainly. I think they should come under Government inspection, and a man should be punished for adulteration.

2095a. You have mentioned just now a matter of considerable interest, that is, as to whether a licensed system should prevail at all, or whether a free sale of liquor would be better. We have found one city, Charlottetown, Prince Edward Island, where free sale exists. That city was formerly under the Scott Act, and the citizens repealed the Act. The Legislature of the Island would not pass a license law, and the consequence was that the city of Charlottetown came under what is called the free sale of liquor. It remained so for a year, at the end of which time the Legislature passed a regulation law requiring places to be closed at ten o'clock at night, to be closed on Sunday, and to have the sale in a front room; but still any person may sell. I understand that you would favour some such law?—Yes.

2096a. And you would surround it with proper regulations?—Yes.

2097a. Restrictions as to hours of selling and so on?—I would not favour selling on Sunday more than any other business.

By Mr. Clarke :

2098a. And selling on Saturday night?—My observation is that early closing on Saturday night is a good feature, and I would retain that.

By Judge McDonald :

2099a. In effect you would continue what is called the prohibitory clauses of our own license law?—Yes.

By Mr. Clarke :

2100a. Would you require that persons selling liquor, should have hotel accomodation?—I think the hotel might be licensed in some way and kept open as a hotel for the benefit of the travelling public, independently of the liquor altogether. My own opinion is that the great mass of the population of this town are temperate men, who can drink when they like, and not take more than they need.

2101a. You think the great majority of the people have control of their appetites?—I think they have. Take Hamilton, for instance, it is not a drinking place at all. If you go through the city you will see the workingmen in their homes, possessing comfortable places, which they could not possess if they were accustomed to drink to excess. The most of them own their own places.

2102a. You speak of the present law as class legislation. Do you consider the Scott Act as class legislation—class legislation in so far as it permits those who can afford it, to bring in a dozen bottles from outside?—Yes, it had that effect, certainly.

2103a. Do you consider it class legislation, to a certain extent?—Yes, in so far as it had that effect. Of course a man living near the border, or living right in the middle of a Scott Act county, could store up enough for his own use all the year. It would be hard for a man who really required something for his sick wife, and could not get anything at all.

2104a. If the present system is to be retained, as between a licensed saloon, and a licensed hotel, which would you prefer?—The hotel certainly.

2105a. Is there any good reason for continuing the existence of the saloon licenses?—None at all. I would favour their abolition.

HUGH McKINNON of Hamilton, Chief of Police, on being duly sworn, deposed as follows :—

By Judge McDonald :

2106a. How long have you resided in Hamilton?—I have been a resident of Hamilton since 1862. I have been Chief of Police nearly seven years.

2107a. How large a force have you under your command?—Fifty is our full number.

2108a. The police force is appointed by a Board of Commissioners?—Yes.

2109a. As a general thing, do you attend the Police Court daily?—Yes, as a general thing.

2110a. Taking the cases that come before that court, is there any large proportion of them arising from the use of strong drink?—A very large number of them do.

2111a. Distinguishing the arrest cases from the summons cases, do a still larger proportion of the former arise from the use of drink?—Yes.

2112a. I suppose there are many summons cases, for breaches of the snow by-law, having unlicensed dogs, and so on, that would swell the total number, and that could hardly be called ordinary Police Court cases?—We have a good many of them.

2113a. But taking the arrest cases, a far larger proportion arise from drunkenness?—Yes.

2114a. To any greater extent, according to the population, than in other places?—No.

2115a. From your acquaintance with this city, do you find that Hamilton, compares favourably with other places in respect to good order and obedience to law?—Certainly.

2116a. I understand you have a class of population here, men who sail on the lakes, and men who work in factories, different from those found in other places; and so you have to make a greater allowance for those people?—We have a large transient population.

2117a. Even allowing for that class, do you find the city compare favourably with other places?—Yes, with any place I know of.

2118a. What system do you follow in making arrests for drunkenness. Supposing a man is under the influence of liquor upon the street, but not aggressive or troublesome, is he allowed to proceed to his home?—Yes.

2119a. Is it a part of the duty of your force to see that the provisions of the license law are carried out?—Yes.

2120a. And you give such an amount of attention to that duty as you can?—As much as we can.

2121a. Of course, your first duty is the regular police duty?—Yes.

2122a. So far as you can, consistently with that, you attempt to enforce the license law?—Yes.

2123a. In the discharge of that duty do you visit places where liquor is sold, and examine them, inspect them?—Not as a matter of inspection.

2124a. You go in to see whether those places are the resort of drunken people; and on Sundays, do you keep an eye on them to see whether they are observing the law?—There is a general instruction to the police to see that the license places observe the law.

2125a. Is a policeman permitted to go into these places alone?—Yes, when on duty, for the purpose of his duty.

2126a. Have you reason to suppose that adulterated liquors are sold to any extent in this city?—I cannot speak as to that. It would be a mere matter of presumption.

2127a. We were informed in Montreal, for instance, by the police authorities that liquor had upon persons who became drunk such a peculiar effect, rendering them in some cases like lunatics, that they were satisfied the liquor must have contained something else than ordinary alcohol. Do you find persons arrested here who are affected in that way?—Well, we find that liquor does not have the same effect on all people.

One man would become perfectly stupid and dull ; another one would become wild, and crazy.

2128a. Is he stupid to such an extent that he is paralyzed for the time being?—I think it all depends upon the quantity of liquor a man takes.

2129a. Then nothing has occurred here to lead you to suppose that liquors are extensively adulterated?—No. Anything I could say would be merely a matter of opinion. Of course all who have had experience know that liquors are adulterated. You may go into one place and get a drink that would be almost poison ; in another place you might get a drink that would render you paralyzed.

2130a. Do you find that persons in the trade in Hamilton observe the law very well?—I consider the law in Hamilton is fairly well observed.

2131a. I understand you have a number of places in this city which are really what may be called saloons, simply for the sale of liquor, where travellers are not entertained. How many such places have you?—I cannot say ; but there are persons who have what is called a saloon license.

2132a. If a law were passed to do away either with the saloon or with the hotel, which, in the interests of the community, would it be better to dispense with?—The saloon, most decidedly.

2133a. You think that is the greater evil?—I do. I do not think there is any question about that, in the mind of any person. It would not even be a question with the saloon man himself.

2134a. We have found sections of country in which there is a strong opinion to the contrary. There are some persons who take the view that a saloon being for the sale of liquor only, a good many people will hesitate about going into it who will go into hotels to see their friends, or to call upon men in business, and that while there they will take a drink ; on these grounds it is argued that the hotel is a more dangerous place for young men than the saloon?—I do not think so at all. As the result of my observation, I think the saloon is the more dangerous and produces the greater evil.

2135a. Have you any statistics with you?—I was asked to bring statistics of arrests, distinguishing drunkenness from other cases. I produce the following table :

Year.	Total arrests.	Drunkenness and Drunk and disorderly.	Convictions.
1886	2,485	733	1,776
1887	3,048	904	2,262
1888	2,799	850	2,092
1889	2,901	936	2,035
1890	2,575	834	1,808
1891	2,073	428	1,432
1892	1,920	360	1,293

2136a. How do you account for the decrease in the last two or three years in the number of arrests for drunkenness?—Well, we have discussed among ourselves how to account for it. Perhaps the so-called hard times, not so much money floating, may be given as the reason why there have not been so many arrests for drunkenness in the last two or three years. In fact, there have not been so many arrests generally.

2137a. Have you found as a citizen that there is a general growth of good habits among the people, and of temperance sentiment?—There is a growing sentiment against drink and drinking habits.

2138a. Do you find that that is promoted by the religious and moral influences in the community, that temperance societies and churches are doing their best in that line?—Yes, they are working in that way, here as in other places. I find, also, that business men and large business concerns frown down on their employees and others who have drunken habits.

2139a. They do that, I suppose, as a business matter?—As a business matter. Business men have not the same confidence in people with drinking habits.

2140a. Is there much poverty in Hamilton?—In proportion to the population, no.

HUGH McKINNON.

2141a. What poverty there is, do you attribute it to any extent to drinking habits?—I attribute to drink a great deal of the poverty and degradation in our city, as in other places.

2142a. Have you had any experience of the working of a prohibitory law?—Yes. I was for years the Chief of Police in Belleville, while a local prohibitory law was in force in the County of Prince Edward.

2143a. Was that the Dunkin Act?—No, I think the Scott Act was in force in Prince Edward.

2144a. What was your experience of the working of the Act?—Prince Edward County was just across the bay from Belleville, where I was Chief of Police. The law was very openly broken there, and apparently just as much liquor was sold, and as openly sold, as it was before the Act was passed. I was frequently in Napanee, in the County of Lennox and Addington, when the Act was in force there, but I could not see any difference.

2145a. Did you have any occasion to go into the counties of Northumberland and Durham when the Act was in force?—I have been in those places, but I never saw any difference.

2146a. The law was adopted there in 1886 and repealed in 1889?—I cannot speak as to those places.

2147a. Was not the Dunkin Act in force in Lennox and Addington at one time before the Scott Act came in?—I think so; when I was in Belleville, in 1885, the Scott Act was in force in Lennox and Addington.

2148a. In case of the enactment of a prohibitory law, preventing the manufacture, importation and sale of intoxicating liquors, would you deem it right that remuneration should be made to brewers and distillers for their plant and machinery which would be rendered useless?—I do. That is a view I have held since I have thought on the subject—that people who entered into the trade while it was legitimate, made their investments in it and carried on a legitimate business, if they were prohibited from carrying on that business, they should be recouped for their loss.

2149a. Do you yourself advocate the passage of a general prohibitory measure in Canada, preventing the manufacture and sale of liquor?—I would not express an opinion on that subject.

2150a. In case of the enactment of such a law, would you expect that it could be efficiently enforced?—It would be surrounded with all sorts of obstacles, and it would be a very serious matter to enforce it.

2151a. Why?—On account of public sentiment. If the people were unanimously in favour of a prohibitory law, and unanimously in favour of carrying it out, it could then be enforced; but when a large portion of the people is opposed to it, there are all sorts of difficulties in enforcing it.

2152a. Do you find a different sentiment exists concerning the enforcement of this law from that which exists in regard to other laws?—A decided difference.

2153a. In enforcing the provisions of such a law, can you easily get evidence?—It is surrounded with all sorts of difficulties. My experience is that people, in whom you would ordinarily have confidence, will go into the witness box and, in general terms, do not hesitate to perjure themselves in liquor cases. That is my experience of seventeen years.

2154a. Do you find that trouble to exist in prosecutions under the license law, for instance, for selling without a license or on Sunday?—Just the same.

2155a. Does it exist to the same extent in prosecutions for selling without license, under the license law?—Well, under the license law we have a different class of people, who are engaged in a business which is considered legitimate, men of better character than those who would be engaged in an illicit trade, and they would be more amenable to the law.

2156a. Do you find a sentiment of this kind: that where a license law exists and people begin selling illicitly, there is a greater disposition in favour of putting them down than exists in favour of putting down liquor selling in a community where no licenses are given?—Yes, I do.

By Rev. Dr. McLeod :

2157a. Was the Dunkin Act in force in Belleville when you were Chief of Police?—No, but it was in the adjoining county. We had the license system in Belleville.

2158a. I suppose you had the same difficulties that you have here in reference to unlicensed selling?—Just the same.

2159a. And there are the same violations of the license law here by the licensees themselves?—Yes, they sell in prohibited hours, on the Sabbath and to minors, and perhaps to Indians and drunken men, sometimes.

2160a. Are there many such cases brought before the court? When a licensee is convicted of a violation, is his license revoked?—I know a number that have been driven out of the business.

2161a. Have your Commissioners revoked licenses because the holders persistently violated the provisions of the law?—They may have done so at the end of the year. I do not recollect many places where a license was revoked in the interim. Some have been driven out of the business for violation of the law.

2162a. Do you think the licensees generally observe these prohibitions, or do they more or less violate them regularly?—I do not doubt at all but that there are a number who persistently violate the law. I also know that there is a number who are in the business in Hamilton who strictly observe the law. This I gather from reports I have in my own department and from citizens.

2163a. It is difficult for you to detect and convict those who do violate the law?—It is difficult, because those who break the law make up their minds to do it, and surround themselves with all sorts of protection.

2164a. Yet these men get a license year after year?—Presuming that what I say is correct, that those people do break the law year after year, the same men do get licenses.

2165a. Has the number of licenses decreased since 1886, or is it about the same number as it was then? We are told that there are about one hundred now?—One of my Inspectors says there are ninety-five saloon and tavern licenses; and we have some thirty odd shop licenses.

2166a. Have you any reason to believe that the men who hold shop licenses, sell for drinking on the premises? Of course the law gives them the right to sell only in bottles?—Well, all I can say with reference to that is, that I believe there have been some cases in our Court where liquor has been sold and consumed on the premises.

2167a. From your observation, do you believe that is generally done?—I cannot say as to that. My attention has been called more to drinking around saloons and taverns.

2168a. I suppose liquor is sold illicitly in some places?—There are very few indeed. We have ferretted some out. There was one notorious place here which we had made many efforts to convict. They managed to change owners frequently, but recently we raided this place several times and secured convictions, and I think probably it will be wound up. But from my observation, there are very few places in this city, where liquor is sold illicitly.

2169a. The one hundred places supply the demand?—Yes.

2170a. You think, however, that some of these men who hold licenses, do violate the law?—It is a difficult matter to detect them on account of the manner in which they surround themselves. It is a difficult matter for the regular officers of a force to detect them. It needs special work. After all, the time to get at those men who persistently break the law is on the 1st of May, when licenses are granted.

2171a. But there does not seem to be any difference, they still get licenses?—Many of them do not.

2172a. Some of them have a license only for one year, and then drop?—Yes.

2173a. Have you observed whether there are cases where men have been convicted of violating the law and are unable to get their license renewed, still another license is issued to the same men but under the name of a brother, or father or son, or friend?—No, I do not know any cases of that kind.

HUGH MCKINNON.

2174a. The place remains, but the names change?—I do not know of any case where the place remains and the business is carried on by the same person under another name.

2175a. Do you know whether a large number of the saloons and other drinking places in Hamilton, are really owned by one or two concerns, and the people in charge are only agents?—I do not know about that.

2176a. Is there a good deal of juvenile crime?—A great deal of juvenile crime, has developed in the last few years.

2177a. To what do you attribute that?—Want of proper home control.

2178a. Have you observed whether that want of proper home control is caused by the drinking habits of parents?—No, I know very many instances of juvenile crime where the parents are sober and industrious.

2179a. Have you found that boys and girls run at large because the drinking habits of their parents cause them to be neglected?—In some cases, of course.

2180a. What form of juvenile crime prevails?—Theft. In fact, our most expert thieves in the city are lads in their teens.

2181a. Do these boys resort to saloons and drink a little themselves?—The majority of them do not. Of course, they are quite young. We have them under fifteen years of age; quite a large proportion of boys of this class are under fifteen.

2182a. Are these the sons of parents who are reputable citizens, sober and god-fearing?—Well, I would not say that, but I would say respectable citizens.

2183a. Most of these young fellows belong to that class?—Yes.

2184a. And not the homes of those who are given to drink?—Not to the homes of those that are of drunken habits.

2185a. Your observation, then, is that the children of people who are given to drink, are well ordered, while a good many of the children of parents who are not given to drink, are going to the dogs?—I have not put it that way; you put it that way.

2186a. What do you say?—I say that the large proportion of them do not belong to parents of idle, drinking habits. The majority belong to parents of a class who are fairly industrious and sober.

2187a. I do not speak of people who are given up to drunkenness, but I speak of the drink habit. It is not a question between moderate drinking and excessive drinking?—Well, I do not know where we can draw the line.

2188a. You are not able to discriminate as to that?—No, I am not. I do not say they are absolutely sober, that they do not drink. I do not think they are abstainers.

2189a. You do not say they are absolutely non-drinkers?—No, I do not pretend to say that at all.

By Mr. Clarke:

2190a. As a matter of fact, you do not know?—No.

2191a. You say they are sober people?—Yes, sober and industrious people.

By Rev. Dr. McLeod:

2192a. I see that you arrested last year, 1,920 persons, of which there were 1,293 convictions. Now, out of the total number of arrests for disorders and petty crimes, are there a great many who, so far as your knowledge goes, are total abstainers; or are they men given more or less to drink?—The majority of those who are charged with assaults and disorders of that kind, are given to drink; that is, those offences arise through drinking, especially cases of assault and battery.

2193a. Is the social evil prevalent in Hamilton?—The social evil is in existence in Hamilton.

2194a. Is it regularly established in Hamilton as it is in some large cities, where portions of the city or streets are devoted to it?—No, not in that way, but there are such houses in existence in the city.

2195a. Do you know whether drink is sold in those houses?—I do not know, but it is usually one of the belongings.

2196a. Are such houses licensed to sell liquor?—They are not.

2197a. I suppose such houses are raided frequently, and sometimes drink is found?—Sometimes.

By Mr. Clarke :

2198a. You said a good many cases came before the court for assault and battery, which arose out of the use of liquor. Have you found, in your experience as a peace officer, that the higher crimes, burglary, arson and forgery, are committed by men who are addicted to the drink habit?—They may drink, but they are not drunkards.

2199a. Those cases of assault and battery, and disorderly conduct, are generally committed by those who are drinkers?—Well, through the influence of liquor, or rather while under the influence of liquor.

2200a. Are these expert juvenile thieves addicted to the liquor habit?—Well, they are so young that I do not think they are.

2201a. Are they children of Canadians, native born, or are they children of immigrants?—Many of them are native born; and many others are importations.

2202a. I suppose you do not know what percentage the importations would be?—No, I cannot speak as to that.

2203a. Did you hear the testimony of the Police Magistrate, and his views regarding the proper way of dealing with this traffic?—Yes, I did.

2204a. Do you concur in that view?—I do not.

2205a. You prefer the present system, at any rate, to free sale?—Most decidedly.

2206a. You have had experience of the operation of the Scott Act and the Dunkin Act in Prince Edward County, in Lennox and Addington, and other counties surrounding Hastings. Would the system which obtained there, be preferable to a license system?—Not at all, in my opinion.

2207a. Was the partial prohibition that prevailed under the Scott Act, conducive to temperance and sobriety?—I do not think it was in the places I have named; certainly it was not in Picton and Napanee.

2208a. Was the effect demoralizing upon the community?—Liquor was sold indiscriminately against the law—practically, universally. I was at Wingham, in the County of Huron, and I was surprised to discover afterwards that the Scott Act was in existence there.

2209a. You did not know from anything you saw in the hotels that the traffic was prohibited?—I did not know it until the next day. In discussing the matter next day with persons on the train, I was surprised to learn that the Scott Act was in existence in that town.

2210a. Do you know what were the causes which led to the non-enforcement, or only the partial enforcement, of the Scott Act?—Well, a law that is left to the general public to enforce, will be neglected.

2211a. But in most of these counties where the Act was carried, there was a large vote in its favour, and machinery was provided to enforce the law by the appointment of Commissioners and Inspectors. If the vote in those counties was an indication that the people were in favour of the Scott Act and its enforcement, how is it that that feeling and opinion did not crystallize itself into some determined and persistent effort to enforce the Act?—The only reply I can give is that the mass of the people themselves did not feel inclined to go to the front and enforce the law.

2212a. Public sentiment was not sufficiently strong—is that it?—Well, in reference to public sentiment, you take a great mass of people and ask them their opinion on the straight question of prohibition, and most of them will say at once; We will go for prohibition, we prefer not to have any liquor at all, but we are opposed to the sectional enforcement of a prohibitory law.

2213a. They would prefer to have Provincial or national prohibition instead of prohibition in counties?—Just that. People are not satisfied with a law under which it is illegal to sell liquor here, while right across the street, or across a section line, you can get all the liquor you want.

2214a. In case we had Provincial national prohibition, would there not be great difficulty in enforcing the law?—A tremendous amount of difficulty.

HUGH MCKINNON.

2215a. From the proximity of the frontier here and in other places, do you think it would be possible to enforce the law in Hamilton?—It would keep a large army very busy.

2216a. Regarding the decrease in the number of arrests for drunkenness and disorderly conduct during the past two years, you attribute it to the dullness of the times?—I think so.

2217a. Have you thought of any other cause for the decrease? Is there a more earnest feeling in Hamilton in favour of temperance that has led to this decrease?—Of course, there is a strong sentiment in Hamilton in favour of temperance, and I think drinking is becoming, as I said a little while ago, more unpopular with the employers of all sorts of labour.

By Rev. Dr. McLeod:

2218a. You have said that the non-enforcement of the Scott Act in those counties was not conducive to temperance and sobriety. Now, do you believe, from your own observation, that the licensed drink system is conducive to temperance and sobriety?—No, it is not. Of course, if I were asked I would say that until such time as we can get national prohibition, well enforced, the license system is preferable to any local prohibition.

2219a. Local prohibition you think is ineffective because liquor is all about the locality, and the law is violated?—Just that.

2220a. We have been told that some men violate the provisions of the license law here frequently, and yet their licenses are continued. In some places we have got the impression that politics enter somewhat into the fact of continuing these licenses. Do you think that is the case here?—I do not wish to answer that question.

2221a. We did learn in some places that petitions, largely of a political character, were presented in behalf of certain persons whose licenses ought to have been revoked; but I will not press you to say whether that applies to Hamilton?—You will probably find some others who can answer that.

2222a. Speaking about burglaries and those higher crimes, you say that the men are not drunk when they commit them. I suppose they are sober as a matter of business?—What I meant to say was this, that I do not believe drink has anything at all to do with the criminal habits of such people.

2223a. With the criminal habits of any people?—No, I do not include a man who will pick up an overcoat and go and sell it to some pawn shop for fifty cents to buy liquor with.

2224a. You think that crime grows out of his appetite?—I do not look upon that man as a criminal. He is an unfortunate, it is a disease.

2225a. Is a product of the license system?—He is a product of his own drinking habits. There was a time, probably, when he was as sober as you and I.

2226a. But the the burglar and the man who commits high crimes of that sort, is not a criminal because he is a drinking man. Is that what you mean?—That is what I mean.

2227a. Do you find that the burglar is generally a drinking man, but he is not drunk when he is about his business?—Well, I find an expert burglar is like a successful business man. He is not a drunkard.

2228a. Do you find burglars sometimes that are not drinking men?—I have found some.

2229a. Do you find burglars sometimes who do not resort to drinking places?—They are just like an ordinary citizen so far as their drinking habits are concerned.

2230a. Speaking in a broad way, do you find that the drink habit, the drink traffic, and crime, are a good deal mixed up?—They go hand in hand a great deal.

2231a. Have you an impression that if the drink traffic were abolished, there would be a diminution of crimes of some sorts?—Yes.

2232a. Of the kinds of petty thefts?—Petty thefts, assaults, and wife-beating.

2233a. I dare say the ill-treatment of wives and children comes under your attention more or less?—Yes.

2234a. Do you find that the ill-treatment of wives and children is in any proportion attributable to the drink habit of husband or father?—Well, it is natural for some men to be brutes towards their wives, and they are sometimes more so when they are in liquor. I have a strong opinion myself that no man, neither drunk nor sober, should raise his hand to any woman. A man whether he is drunk or sober, who will raise his hand to a woman, is a coward any way; he is a coward when sober. If he is tempted to do it when sober, he is then cool enough not to carry out his desire; but when he gets some liquor in him he then will beat his wife.

By Mr. Clarke :

2235a. Regarding the punishment meted out to habitual drunkards, does imprisonment for thirty days, or ninety days, do any permanent good?—It is a great mistake.

2236a. As an experienced police officer, would you favour the establishment of sanitariums or asylums where they could be committed for reformation?—We find that after a long time it is impossible for a man to control his appetite at all. Police officers, myself included, have frequently been asked by men who have been for a long time under the influence of drink, for God's sake to lock them up for a time until they could get sober. This occurs periodically, and as time goes on it is more difficult for them to restrain their appetites. For these persons, imprisonment in jail for short terms is wrong, when they get into a certain condition; and the only object any Magistrate should have in sending these men for short terms, is to give them an opportunity of sobering up, and give them a chance eventually of doing something better for themselves and family, if only for a few days after they get out of jail. But it is a mistake to send them to jail as a punishment, and the sooner it is recognized by our Government, and by the people in general, that these men should be taken care of in sanitariums and treated as the victims of a disease, the better.

By Rev. Dr. McLeod :

2237a. Do you think those sanitariums ought to be established at the public expense?—Yes.

2238a. That is, that the Government which provides facilities for getting them into that condition, should also provide sanitariums to get them out of it?—What I think is that Government institutions should be established where such people could be sent, the same as lunatics are cared for. If the people themselves or their friends are in a position to pay for their treatment, they should do so.

2239a. Would it be fair to ask their friends to pay for their treatment?—It is the act of the unfortunate man himself. He acquired the appetite. There was a time when he did not have the appetite.

2240a. Would it be better for the Government having power to do so, to remove the facilities for getting men into that condition, and the inducement thereto?—There would be less crime, less degradation, and less chance of trouble of that kind arising, if we had total prohibition in this country.

By Judge McDonald :

2241a. Do you mean on the statute-book, or in force?—Of course, rigidly and strictly enforced, if it could be.

By Mr. Clarke :

2242a. Did you ever visit the State of Maine, or Kansas, or Iowa?—I have been in Maine.

2243a. For any length of time?—No. I cannot speak as to how the law is carried out.

By Judge McDonald :

2244a. A gentleman was speaking to me the other day—he is a Police Magistrate—in regard to children being upon the streets. He said he thought that our conditions of modern society under which we have so many societies meeting in the evening which

HUGH MCKINNON.

the grown-up members of the household attend, have an effect upon children staying away from home and being out on the streets until a late hour in the evening. Have you considered that matter at all?—I do not know that. I think, however, that parents are responsible in a great number of instances for the criminal habits of their children; there is want of proper home control. They should make their home a place where children can have pleasure.

2245a. The view of this gentleman seemed to be that in our modern conditions of life, the heads of households were not nearly as much at home as they used to be, and that therefore the children got in the way of running on the streets?—I do not know that. It strikes me that my mother and father were more strict with me than are many of those with whom I have been brought into contact since.

2246a. There was greater strictness in former times?—Much more.

By Rev. Dr. McLeod :

2247a. And that had a good effect?—Well, I think so.

2248a. Regarding the penalties imposed for violation of the license law, would it be beneficial if they were more severe for second or third convictions, ending with the cancellation of the license altogether?—I would favour the enforcement of a law to cancel a man's license after the second or third conviction.

By Judge McDonald :

2249a. Cancelling the license for that particular premises, or only for the individual?—Well, that might be going a little far.

2250a. It is said sometimes that a license is withdrawn from an individual, but it is given afterwards to the father or brother, who continues in the same premises; so there is really no penalty in the party being deprived of the license?—Well, in a matter of that kind, of course, that would be carrying out the idea expressed in my reply to Mr. Clarke.

2251a. Supposing that A is occupying premises belonging to B, and breaks the law and is convicted three times, and A's license is revoked. B may or may not be able to get a man to go into those premises and continue that business, so he may suffer in one way. Now do you not think people might be reached more effectually by triking the premises; then you make both the landlord and the occupant anxious that the law should be observed, and the landlord would keep an eye on the way the business is carried on?—I think in that case a great wrong might be done to the landlord or owner of the premises.

2252a. Take it in this way: A is fined once; that does not cancel his license. The landlord knows that the second or third conviction means the forfeiture of the license. Surely the landlord can protect himself by turning B out?—It depends upon the length of his lease.

2253a. If that were the law, every lease infringing that law would be invalid?—You might reach them that way.

By Mr. Clarke :

2254a. Are these ninety hotel and tavern licenses and saloon licenses, and the thirty shop licenses really required to do the business in the city of Hamilton?—That is a matter of opinion.

2255a. What is your opinion?—I do not know the present number. I think it is ninety-five, but I do not think the condition is any worse than if there were only eighty-five.

2256a. Except as to the illicit sale?—The more difficulty a person has in getting drink, the less liable he is to take it.

THOMAS BEASLEY, of Hamilton, City Clerk, on being duly sworn, deposed as follows :—

By Judge McDonald :

2257a. How long have you lived in Hamilton?—All my life, and I have held the position of City Clerk for about thirty years.

2258a. I believe you are also Clerk of the Police Court, and from day to day you have to attend upon that court?—I am clerk under the statute; I just look after the money part of it. I could not give you as much information as the Chief of Police has given.

2259a. Can you give us information as to the amount of fines?—I could do that, but I have not got the returns quite complete. I have here a statement from 1886 up to 1889, except as regards the fines. These are not paid into the treasury, but they go to the License Inspector. I will make a written statement of the amount.

2260a. Is the amount of fines taken from year to year, decreasing or increasing?—Decreasing very much. It was considerably less in 1892, the lowest for many years. I mean fines from all sources.

2261a. To what cause do you attribute the diminution of crime?—I think it is the hard times; people have not got the money. I know when all our sewing machine establishments here were running, the people were making lots of money, and they got into more trouble, and there was more crime than now.

2262a. Do you find an increase in the temperance sentiment of the community; I mean are people becoming more abstemious in their habits than they used to be?—Yes, I think so.

2263a. Do you find that the influence of religious and temperance societies have a tendency in that way?—I think so myself.

2264a. Have you seen the operation of a prohibitory law?—I was in the State of Maine a few times on a visit.

2265a. How did you find it observed?—Not very well. It was a little more difficult to get a drink, but there were many loop holes.

2266a. Do you yourself advocate the passing of a prohibitory law for Canada?—I do not.

2267a. What is your objection?—I do not think it could be carried out.

2268a. In case such a law were passed, prohibiting the manufacture, importation and sale of intoxicating liquors for Canada, would you favour the granting of remuneration to brewers and distillers for their plant and machinery which would be rendered useless?—I think they ought to be remunerated.

2269a. Perhaps you can tell us the amount the city derives from licenses?—Not separately from other revenues.

2270a. Your proportion of the fines is sent to you from Toronto?—The Inspector pays it to the Treasurer. Whether the city gets it from Toronto, I do not know.

2271a. Can you tell us what comes in from licenses alone?—I could by making a calculation.

2272a. In case a prohibitory law were passed, which would do away with the municipal revenue derived from licenses, would that revenue have to be supplied by direct taxation?—Certainly.

2273a. We are told that in the whole Dominion there is a revenue of six or seven millions dollars to the Government from the liquor traffic. Have you considered how that would be supplied?—It would have to be supplied by direct taxation, or by putting duties on something else.

By Rev. Dr. McLeod :

2274a. You have said that you object to a prohibitory law because you think it could not be carried out?—That is one reason.

2275a. Is there any other reason for your objection?—Yes. I do not think it is right to legislate what a man shall drink, any more than what he shall eat.

THOMAS BEASLEY.

2276a. It is an objection on principle rather than to the practicability of the enactment?—Both.

2277a. And your first objection is to the principle of such a law?—Yes.

2278a. Then you think it would be impracticable, even if the law were enacted?—Yes, I think you would have to have the whole community in favour of it to carry it out.

2279a. Do you think that your knowledge of Maine is sufficiently intimate to warrant a judgment as to the success of the prohibitory law in that State?—I am only telling you what I saw there in a brief visit of about a month. I was in Portland, particularly, and at Old Orchard.

2280a. With regard to fines in this city. You say they have become considerably less. Do you know whether there are more imprisonments in default of the payment of fines?—No, I could not say that.

2281a. Would the records show that. For instance, here is a man who is fined four dollars for drunkenness; he cannot pay it, and goes to jail?—There is very little difference in that respect. The records should show how many were sent to jail.

2282a. You say less fines are paid. Now, we would like to know whether that fact shows really that there is a large decrease in arrests, or whether some of the diminution in the fines is owing to the offenders being imprisoned instead of paying the fines?—I think there is a difference in Magistrates. Our present Magistrate does not fine quite so heavily as the old Police Magistrate. But that does not affect the statistics; it will affect those for next year.

2283a. Was his predecessor in office a long time?—Yes, thirty years.

2284a. You do not know whether his rule as to imposition of fines changed with the hard times?—These I am speaking about would all be under his rule.

2285a. We would like to know whether the imprisonments in default of the payment of fines, increased during the last year when the actual receipt from fines diminished?—I do not think so.

JOHN I. MCKENZIE, of Hamilton, Inspector of Licenses, on being duly sworn, deposed as follows:—

By Judge McDonald:

2286a. How long have you resided in this city?—I have resided here since I became License Inspector, which will be twelve years next month.

2287a. Where did you reside before that?—For a few years in Woodstock, and for a good many years previously in Hamilton.

2288a. When you were in Woodstock, was the Scott Act in force?—No, it was before that.

2289a. In Hamilton there has been a license law in force since you resided here?—Yes.

2290a. The provisions of your license law have been changed from time to time?—There have been amendments.

2291a. Did the amendments tend to increased stringency in the prohibitive part of it?—Yes.

2292a. Have you found these amendments, made from time to time, to have a beneficial effect?—Yes.

2293a. Do they render it easier for you to discharge your duty in seeing the law enforced?—Yes.

2294a. I suppose some of the amendments have been in the way of making the evidence more simple, and of increasing the efficiency of the Act?—Yes.

2295a. Under the Act, as it exists, have you any difficulties to contend with in carrying it out, difficulties that could be removed by changes in the Act; and if so, we would be glad to have any suggestions?—I could not make any suggestions.

2296a. You think the Act is as perfect as it can be?—I think so.

2297a. You are License Inspector for the city alone?—For the city alone.

2298a. Does the County Inspector live in the county?—Yes.

2299a. How many licenses have you in the city of Hamilton?—Ninety-five tavern licenses, which includes ten saloons. That would be 85 taverns with tavern accommodations.

2300a. Do you call them saloons, or are they called taverns, without accommodation?—They are called saloons, but the word is not used in the Act.

2301a. What are they called in the Act?—They are called taverns, not requiring the necessary accommodation for the public.

2302a. Then you have 85 licensed taverns which require accommodation?—Require to be equipped.

2303a. How many shops?—Thirty.

2304a. How many wholesale dealers?—Seven.

2305a. How many breweries and distilleries?—Three breweries and one distillery.

2306a. These get a Government license from the Ontario Government?—Yes.

2307a. Do the equipped places and the non-equipped places pay the same license fee?—The equipped places pay \$300 for their license, and the saloons pay \$350. The shops pay \$300, wholesale dealers, \$250, and breweries and distilleries the same.

2308a. What is the total revenue paid in the city of Hamilton for these licenses?—For the current year, \$30,750 altogether for licenses.

2309a. What proportion of that goes to the city?—I must mention that there is one park license in the number I gave, the price for which is \$68.50 for six months. That is a beer and wine license for Dundurn Park, Hamilton, a public park for the resort of people in the city. It is owned by Senator McInnes. I understand it is leased for a season by Mr. William Stroud, who has the license.

2310a. Is it your duty to look after the illicit sale and prevent it?—Yes.

2311a. Do you have much difficulty in that way?—Very little.

2312a. Less than you formerly had?—Oh, very much.

2313a. To what do you attribute the change?—They have been prosecuted until they left the country, most of them—I mean the people who were selling illicitly. They would not wait till they were fined three times, but cleared out when they got two fines.

2314a. Do you think you have got illicit selling pretty well stamped out now?—At the present moment I know of but one place.

2315a. Is that the one to which the Chief of Police referred?—It is the same place.

2316a. Have you hopes of stopping that one?—It will take a little time, there are so many in the family.

By Rev. Dr. McLeod :

2317a. Please explain how they operate?—The premises are owned by an aunt of the family, who occupies them. The original law-breaker had been fined twice in a regular way, and then the aunt rented the premises to one of the sons. The father died, and the son was fined twice and convicted. Then she eventually took back the lease and made a new lease to another son, who has been convicted twice, the last time two weeks ago. Now we understand that the woman will take over the house to herself; and if she violates the law we will have to go for her.

2318a. Are there any more sons?—Not of age yet.

By Judge McDonald :

2319a. Do you not think that the Act can be so amended as to prevent such a system of fraud as you have described?—It is possible.

2320a. Do you believe these leases are genuine?—They are made for the purpose of escaping a third conviction.

2321a. We asked the Chief what he thought about visiting the penalty upon the premises, and taking away the license where there were frequent infractions?—We have done so repeatedly.

JOHN I. MCKENZIE.

2322a. Have you considered the plan of taking the license away from the premises after three convictions?—It would be a pity, perhaps, to punish the owner of the premises.

2323a. I think the Chief suggested that after a first and second conviction, and this penalty only following a third, the landlord would be put on his guard, and he could make the term of the lease such that one or two convictions would end the lease?—If there is a second conviction obtained under the regulations of the Act, the man begins to think he had better get out of the business, and he does get out of it, as a rule. The occupant is constantly changing.

2324a. Are there many cases of a third conviction for breach of the Sunday law, and sale to minors?—There are some, of course.

2325a. We have been told that the value of the property for which a license is held is increased. Now, if there hung over the premises a penalty, that if the tenants did not observe the Sunday law or the provisions against sale to minors, to Indians and so forth, after the third conviction, the license would be withdrawn from the premises itself, do you not think the law would be easier enforced? Would you not have the landlord with you as an active agent in seeing that the law was observed?—He would lose the value of his building to a certain extent, he would lose the rental if it was closed up.

2326a. Has not that kind of legislation been suggested by the temperance community?—I am not aware of it.

2327a. In prosecutions for illicit selling, do you find any difficulty in convicting on account of witnesses committing perjury?—Very often. In Mr. Cahill's time I had a little experience in that line, but the Magistrate would not give credence to the witnesses for the defence, and the accused was convicted.

2328a. Have you much difficulty in reference to breaches of the license law for selling on Sunday, selling to minors, and selling after hours?—Yes, the law is not thoroughly observed in that regard.

2329a. Would it require a larger force of officials than you have, to secure complete observance of it?—I do not think so.

2330a. You think you have got enough officers?—Well, there are two Inspectors here, and they are very well known, and they cannot do much in that line of service.

2331a. If there was a larger force, could not you cover the ground?—Well, we have the police, and we find them very willing to assist us in every possible way.

2332a. But even with an associate Inspector with yourself, and with the assistance of the police, you find you are not able to make people carry out the law completely?—Not altogether. But there is a great improvement.

2333a. Would you favour an inspection of the liquor sold in those premises?—I would.

2334a. Have you reason to believe that impure liquors are sold?—I have not the slightest doubt about that. Some years ago I made a test of the liquor, and in two cases I found it was poisonous: then I did not go any further.

2335a. Why not?—Because I did not care to.

2336a. We have been told that in some cases a substance called blue stone is used, and tobacco and other things are put in to give a fiery taste to the liquor?—At all events, the quality of the liquor is very much improved since the new regulations in the Excise Department.

2337a. As a citizen, are you favourable to the passage of a prohibitory law?—I would if it were a national law.

2338a. I speak of a law prohibiting the manufacture, importation and sale for the Dominion?—I would favour that.

2339a. Do you believe it would be enforced?—It would take some time. I think the young people would gradually get educated up to it.

2340a. Do you find a great improvement in the habits of the people from year to year in the way of temperance, within your own recollection?—I think the young people are being trained more in that direction now than they have been.

2341a. Do you find that the influences of the churches and the temperance societies are having an effect in that direction upon the rising generation?—In my family, numbering twenty, young and old, every one of them are teetotallers, sons, daughters and grandchildren.

2342a. In case of the enactment of a national prohibitory law, would you permit the making or importation of liquor for mechanical, sacramental and medicinal purposes?—Yes.

2343a. Have you ever thought of how that liquor should be provided, whether by manufacture in the country, or by importation?—Without giving much thought to it, I would say by importation.

2344a. In case such a law were passed, would you think that the enforcement of it should be undertaken by the Dominion or the Provincial Government, or by the municipalities?—I would say by the Dominion Government.

2345a. That is, preventing the manufacture and importation into the country?—Yes.

2346a. In regard to the enforcement of such a law, and punishing people who sold contrary to its provisions, would you leave that to the Dominion officials or to the ordinary authorities?—It would be better left to the ordinary authorities.

2347a. In case of the enactment of such a law, would you favour remuneration being made to brewers and distillers for their plant and machinery which would be rendered useless?—I would prefer not to answer that question, if you will allow me.

By Mr. Clarke :

2348a. There is a park license you say, did you recommend it?—I did.

2349a. For what reason?—For the reason that the person who has that license is a very strict disciplinarian, and he will not allow any liquor to enter the grounds except what he has on his own stand, that is, beer and wine.

2350a. He will do that for self protection?—Yes, otherwise men going there will bring whisky in their pockets.

2351a. What steps does he take to prevent them from bringing whisky in their pockets?—He has the police there.

2352a. The police, of course, do not search everybody going in. How would he prevent a man who had a bottle of liquor in his pocket from taking it out and drinking it?—He tells me that he turns them out of the park.

2353a. Are there crowds congregating in this park from time to time?—Yes, societies such as St. George's, St. Andrews, the Forresters, and organizations of that kind. They are orderly.

2354a. How many thousand people are there at times?—From eight to ten thousand.

2355a. Do you favour the issue of a license to a place where such large numbers of people congregate from time to time?—I do, for that park.

2356a. You think the issue of a beer and wine license is better than to have no license at all?—I think so.

2357a. What would be the result when those large gatherings take place if there were no license at all?—I think there would be more drunkenness on the grounds.

2358a. How is that?—A great many people would bring liquor with them.

2359a. But they can bring it now?—They do not do it, though.

2360a. Do you favour the issue of these ten saloon licenses where there is no accommodation? They are mere drinking shops, I suppose?—That is all.

2361a. Do you favour the issue of licenses to these places?—I do.

2362a. Are they really required in a city like this, where there are eighty-five taverns and thirty shop licenses?—A person might argue that ninety-five might be reduced to fifty. We have already reduced the number immensely.

2363a. Have you any statistics showing the reduction?—In 1874, there were 223 licenses, or one to every 140 of the population. That was under municipal control. In 1882, there were 164 licenses, or one to every 226 of the population. In 1892, there were 131 licenses, or one to every 366 of the population. In 1893, there is a license to every 535 of the population. In 1874, there were 93 licensed grocers; there are only 30 now.

2364a. I think you said you were in favour of national prohibition. In the meantime, if we were to give up either the saloon or the hotel license, which do you think it would be well to abandon?—The saloons.

2365a. Are they more injurious?—I do not think so. We have less trouble with them than with the others.

JOHN I. MCKENZIE.

2366a. But still you would give them up, although you have less trouble with them?
—Well, the argument would be, of course, that they only sell drink and nothing more.

2367a. Would you give them up in preference to the hotels?—Yes.

2368a. Do the saloon-keepers observe the law more rigidly than the hotel-keepers?
—I find the saloon-keepers observe the law the best. They are more careful.

2369a. Do you think that this large number, ninety-five tavern and saloon licenses, are required to do the business of the town?—Would you not favour a reduction, and having only shop licenses and taverns?—I would not.

By Judge McDonald :

2370a. If the saloon licenses are found to be the most easily controlled, why not have saloon licenses only, and separate the sale of liquor entirely from the hotel?—Because we require accommodation for the public in the way of lodging.

2371a. Do you think it necessary to connect the sale of liquor with lodging accommodation for the public?—Well, there is probably not business enough for all the lodging places unless they sold liquor.

2372a. Is it necessary to sell liquor to make their houses pay?—Certainly.

By Rev. Dr. McLeod :

2373a. Do not some of them do nothing but sell liquor?—There is no provision in the law for anything like a saloon, as I understand it. In this classification there are mentioned tavern licenses, shop licenses and wholesale licenses. The present number, 132, is made up with 35 taverns, 10 saloons, 30 shops and 7 wholesale.

2374a. What puzzles me is, how those ten saloons come into existence at all?—The Act specifies that we are permitted to have ten in the city, with our population, that are not required to have accommodation for lodging travellers.

2375a. But in this tabulation they are included under the head of tavern licenses?
—Yes.

2376a. Please tell us briefly what are your duties as Inspector?—My duty is to inspect licensed houses at least every three weeks, to make a report in writing to the Department in Toronto, of their condition.

2377a. That is to say, whether the taverns have the required accommodation?—Yes.

2378a. What report do you make about saloons?—The same thing.

2379a. Do you go through them regularly every three months?—Every three months.

2380a. Do they know when you are coming?—I do not think they do, because the three months will end with this month, and we are inspecting now, and have been for some days.

2381a. When you make your inspection in the city, you go right through with it?—Yes, and we try to avoid their having any knowledge of it.

2382a. Do you find any without the accommodation specified in the law?—We found two without the necessary accommodation.

2383a. What do you do in that case?—We tell them they will lose their license at the end of the year. The owner of the property is now building an addition to one of the houses, which will make it fully up to the requirements, and over. The other will have to remove, because it cannot be done. He will have to lose his license.

2384a. How long has he been running without the equipment necessary under the law?—Two or three years.

2385a. He has been running two or three years without the required equipment, and if he will not provide it, you will continue his license, and you will say nothing about the violation?—We always reported his case.

2386a. Is that all? Is there no penalty?—No.

2387a. Have any licenses been revoked for non-possession of the proper equipment?
—Yes.

2388a. How many?—I can think of only one at this moment, but there must be more.

2389a. How long ago?—Two or three years ago.

2390a. Do you think that all these eighty-five taverns really have hotel accommodation, rooms, tables for guests, and all that?—Yes.

2391a. Do they carry on a hotel business, or do they only have that because it is necessary?—They do not all carry on the hotel business.

2392a. Whether people go there or not, they have to have the equipment to qualify themselves for a license?—Yes.

2393a. Is that within the intention of the law, or is that an evasion of the law?—Well, I think it is the intention of the law. We could not judge whether they were doing business or not. People were likely to go there to get accommodation.

2394a. But if from year to year no person does go, and no person is expected to go, and they have three rooms only as they have tables or counters and bottles, is that an evasion of the law?—Possibly.

2395a. Should that not be taken notice of by the Commissioners?—It is a very difficult thing to judge, because they may be doing some business, perhaps not very much. Some of them have boarders.

2396a. Have you reason to believe that these shops that have licenses, sell in less quantities than the law allows?—I am not aware of any at present. As a rule, they are kept by an exceedingly respectable class of men.

2397a. Do they sell in connection with groceries?—All with the exception of one. There is only one who is selling liquor alone. All the others belong to groceries, but separate from the grocery department.

2398a. A different entrance and no connection?—A different entrance—no connection unless in the rear. They are close by each other.

2399a. They may be substantially the same premises, except that there is a partition with a door between?—The door is on the street.

2400a. There is an entrance to the grocery store on the street, and an entrance to the liquor establishment on the street. May there not be a door in the partition between the two establishments?—It is not like that. If it was, we would fine them.

2401a. But they might go through the grocery establishment out into the yard and get into the other through the rear?—In some cases they might.

2402a. If a good many of these taverns, although they have rooms, tables and so forth, do not really do any business in entertaining guests, do you still think the law might not be so amended as to prevent such evasion? Do you not think it would be well to make the tavern license a genuine tavern license and not a saloon license under cover of a tavern license?—It might be possible, I dare say. It would be difficult to enforce it.

2403a. Please tell us how you look after the illicit sale of liquor by the licensees. In a city of 50,000 people, with more than one hundred such places under your supervision, are you expected to prevent all illicit acts on the part of those licensees?—We employ detectives for that purpose.

2404a. Is that done to any extent?—To a large extent.

2405a. With results?—Yes, with results.

2406a. Are a good many of the licensees found to be violating the provisions of the license law?—We get strangers in as detectives, and they do detect a good many of them.

2407a. I think you said the hotel-keepers are the most likely to violate the law?—Yes.

2408a. Do they sell on Sundays and after hours?—Some of them do.

2409a. And the saloon men, too?—I do not think any of the saloons do.

2410a. You think the saloons are more observant of the law?—I think so.

2411a. Do the officers detect the shop-keepers sometimes selling for consumption on the premises?—Not so much lately, because we have been gradually reducing them, cleaning them out.

2412a. Have any of these tavern licenses been revoked at the end of the year because of violations of the License Act?—The licensee himself has lost his license, but the house might be licensed afterwards.

2413a. It was a change of name rather than a change of place?—A new man altogether.

2414a. And the old man has no connection with it?—None whatever.

2415a. Then in some places they do have a connection?—I do not think there is a case of that kind, and I know them all.

JOHN I. MCKENZIE.

2416a. Do you know whether among all these cases, the licensee is only a sham man, that he is not the real proprietor of the place but represents some firm, or some man who owns thirty or forty of these places?—I have no personal knowledge of that. I have heard it spoken of, but I think it is largely exaggerated.

2417a. To whom are the license fees paid?—They are deposited in the bank, and the receipts are brought to me. I do not take any money.

2418a. It is deposited in the bank to your credit?—To the credit of the License Department of Hamilton.

2419a. You do not know who makes out the cheques or anything like that? For instance, John Brown is the nominal licensee; you do not know whether it is John Brown's cheque that pays for the license, or whether it is Smith's cheque that pays for it?—The receipt is made in the licensee's name.

2420a. Do you know of some one person or some one concern, who owns thirty or forty licenses, but the license is issued in the name of another man?—There may be a few cases, but I have no knowledge of them. I think it is greatly exaggerated.

2421a. What is the object of reducing the number of licenses? I see you have reduced them from 223 in 1874, to 131 in 1892?—Because in many cases the houses were not qualified to have a license; in other cases the licensees were not behaving themselves. By reducing them, the Commissioners in their wisdom, I suppose, thought it would pay those better who continued in the business, it would improve their condition, and it has improved their condition very much.

2422a. With the reduction in the number of licenses, is there an increase in the license fee?—Yes.

2423a. It was with the view, as you say, to make it more advantageous for the men who held the licenses, so that they could keep a better place and do a better business?—I think so.

2424a. That is to say, it was giving a monopoly to a certain number?—You could scarcely call it a monopoly where there are ninety-five of them.

2425a. It is a monopoly as compared with the business in former years, when there were 223 holding licenses?—The city has increased in population also.

2426a. Then that would increase the monopoly?—Yes, of course.

2427a. The city has increased in population, the number of licenses has diminished, and the license fees have been increased?—Yes.

2428a. Is there an advantage to the community, socially, morally and industrially, in the reduction of the number of licenses?—Yes, I think so.

2429a. Does it diminish the volume of the traffic to reduce the number of places of sale?—I should say so.

2430a. That is you believe the fewer places of sale the less is sold?—Down to a certain minimum, yes; but if a man wants to drink he will go a long way for it.

2431a. Are most of these places now licensed what are called reputable places, or are the majority of them what are regarded as disreputable places?—Do we consider them reputable places? If we judged them otherwise, we would get rid of them.

2432a. Which are the more reputable, the saloons or the hotels?—I do not think there is any difference in that regard.

2433a. No difference in the respectability?—No.

2434a. But the hotels are the most frequent and persistent violators of the provisions of the law?—There are many more of them, and but few of the others. It is hard to make a comparison. I believe that the saloons are the best.

2435a. Have any of these ten saloons violated the law this last year?—There is one.

2436a. And have many of the hotels, in this last year?—Not many this last year, and none during this current year.

2437a. Still, you think the hotels are the most frequent violators?—I am looking back at previous years.

2438a. Last year, how many saloon-keepers were convicted?—I have not got them separate from the taverns. There were eight prosecutions.

2439a. Did all the prosecutions result in convictions?—Not all.

2440a. How is it that you failed to convict?—Lack of evidence, as a rule.

2441a. You find men either unable or unwilling to testify what they know, or with defective memories, mental lapses—is that it?—Sometimes they will not tell the truth ; and sometimes we have wrong information.

2442a. Do you think the license system regulates the trade?—To a large extent, I think so.

2443a. Do you mean that it regulates, or makes a monopoly of it, which?—I do not think there are so many people who wish to go into the business. It is scarcely a monopoly.

2444a. Is it fair to those people who do want to go into the business, that you should not permit them to do so. Is that not class legislation?—We see to their character and reputation, and act accordingly ; we weed out the bad ones.

2445a. What you have got left, I suppose, are fine, respectable men?—There are always black sheep, you know.

2446a. And still they violate the law?—Some of them do.

2447a. Are there any of them who do not?—There are.

2448a. But some of them you have not discovered?—I speak as far as we know.

2449a. Then you have not weeded out all the bad ones yet?—Not quite.

By Judge McDonald :

2450a. Having this large number of persons applying for licenses, I suppose it is sometimes difficult to make a choice of those to whom the license should be given?—No, it is not very difficult. We generally have some knowledge of their character.

2451a. Out of a large number of persons applying, there is only a limited number that are really fit to be licensed?—Yes.

JOHN CRERAR, of Hamilton, County Crown Attorney, on being duly sworn, deposed as follows:—

By Judge McDonald :

2452a. Do you reside in Hamilton?—I do.

2453a. What positions do you hold?—I am a barrister-at-law, County Crown Attorney, and Clerk of the Peace.

2454a. How long have you resided in Hamilton?—About twenty-four years.

2455a. How long have you been County Attorney?—Seven or eight years, and I practiced here for some time before that.

2456a. As County Crown Attorney you have to conduct the criminal cases under indictment that come before the regular court?—Yes.

2457a. I suppose you have occasionally to attend the Police Court and conduct criminal cases?—Yes.

2458a. Do you find a large amount of crime in this community?—It is dwindling all the time.

2459a. To what do you attribute the diminution?—I think this is a law-abiding centre.

2460a. Do you find any growth of temperance sentiment in the community from year to year, accompanied by a decrease in the use of intoxicating liquors?—I am not aware that the temperance sentiment, beyond what is called the temperance party, has increased in any way.

2461a. Do you think that as far as moderate drinking is concerned, it is about the same in one period as another?—I have seen no difference in thirty years.

2462a. Have you had any experience of the operation of a prohibitory law?—No.

2463a. Can you say from your experience whether the crime with which you have to deal, may be traced to any extent to the drink habit on the part of the people?—Certain classes of crime are almost directly attributable to intoxicating liquors, crimes of personal violence, but not such as larceny and perjury, and what I call the refined classes of crime.

JOHN I. MCKENZIE.

2464a. Take forgery and burglary?—Liquor has nothing to do with these. In fact it would defeat the object in view. Crimes which are attributable to liquor are usually those of personal assault, sometimes going as far as manslaughter, if not issuing in murder.

2465a. The Chief of Police said that cases like a man stealing an overcoat and selling it to get drink, and offences of that kind, were usually traced to drink?—That class of cases are extremely rare.

2466a. You mentioned that there were very few cases of perjury connected with the liquor traffic?—I never knew of one.

2467a. We are told there is a great deal of perjury committed in connection with liquor prosecutions? Have you during your term been called upon to prosecute any of those persons?—Not for perjury, except in one case.

2468a. What was the result?—The result was that the man got off; the grand jury, if I mistake not, rejected the bill from a belief that the accused was so completely under the power of the liquor seller, that he could hardly be called a free agent. I think the grand jury saw that from the evidence which came before them, and the bill was ignored. That is the only case in my experience where I have prosecuted for perjury in connection with liquor prosecutions.

2469a. Then if this perjury exists to the extent spoken of, the cases do not come under your cognizance as Crown Prosecutor?—I have never been called upon to prosecute them for perjury.

2470a. Have you had anything to do with liquor prosecutions?—Yes.

2471a. How have you found them in your experience?—Any amount of perjury.

2472a. Do you find any greater degree of perjury in cases of that kind than relatively in other cases?—Infinitely more.

2473a. To what do you attribute that?—To the belief that there is no more wrong in selling whisky at twenty minutes past seven o'clock than at seven.

2474a. Then it is owing, to some extent, to the state of sentiment in the community in regarding that offence as different from other offences?—Precisely. The same with smuggling. Every man who buys a dollar's worth of goods in Buffalo and brings them over in his pocket, says his prayers and sleeps just as serenely as ever. So if a man sells a glass of whisky after seven o'clock, that man does not feel guilty in his conscience. That is the reason of this perjury. Now, you must not misunderstand me. I have not approved of this perjury. I only say that the evidence given by the witnesses was so foreign from other facts in my possession that I have been led to infer perjury. Of course, the perjuries have not been proved, but my own belief was that there was perjury. I am also of opinion from the character and status of the men who testified, that they swore as they did because they could not account in any other way for what occurred. Some of these men would not commit perjury to defend a five dollar debt in court.

2475a. Have you given the question of prohibition much thought?—Some.

2476a. Regarding the enforcement of a prohibitory law, from your experience in enforcing what are called the prohibitory clauses of the license Act, what would you say as to the capability of the efficient enforcement of a general prohibitory law?—I think capacity of enforcement would be exceedingly fine. My reason for that statement is this, that to my own personal knowledge, there never was the slightest difficulty in getting liquor in any part of the Province of Ontario where the Scott Act was in force. The only difference between the sale of liquor during the Scott Act period and the sale before or since, was that during the Scott Act period you got worse liquor at a higher price. You paid ten cents for a five cent drink. That is just about all the difference there was in this province, according to my own personal experience.

2477a. But that is hardly an answer to the question as to the capability of efficient enforcement. Do you know whether any attempt was made to enforce it in those districts?—I have a district in my mind where the County Attorney would have from one to three hundred prosecutions in a quarter, for violation of the law; so there was an attempt made.

2478a. How did he succeed in getting convictions?—Any amount of convictions, with a lot of failures. But nevertheless the sale of liquor went on.

2479a. Do you know whether in those counties a system was adopted of making all the charges first offences, provided the higher penalties were not reached?—I have no personal experience in prosecuting under the Scott Act. I do not know whether that was done.

2480a. In some places we have heard the complaint made that they were all first offences?—Of my own knowledge, I cannot say anything on that score.

2481a. Now, supposing that a prohibitory liquor law was enacted for the whole of Canada, from your experience in dealing with cases of a cognate character under the license law, what would you say as to the capability of efficient enforcement?—I presume you mean a law that would prohibit the manufacture and importation as well as the sale.

2482a. Yes.—Well, I think, if there was a law where liquor could neither be manufactured, nor imported nor sold, that, practically speaking, the law could be enforced.

2483a. What is intended by such importation is the fact of travellers bringing it in their trunks or pockets?—I do not think that what travellers could bring in in their pockets, would amount to much. Notwithstanding that, in all probability and from a practical point of view, we would be under a prohibitory law.

2484a. So you think that law could be successfully enforced?—It could be successfully enforced for the practical purposes of prohibition, enforced to the extent that there would be neither liquor made nor sold.

2485a. You think the public sale could be done away with?—I do. I have had some experience in Scotland, where the liquor law is more rigidly enforced than it is in this country, and in one district I have known, all the power of the Government and of the revenue officers could not put down illegal manufacture. In this country, with its vast area, there would be fifty times the number of illicit stills that there was in the smaller area of Scotland.

2486a. Would you favour the passage of such a law in the Dominion as a whole?—I am not prepared to answer that question. My own personal opinion is that such a law as the Forbes Mackenzie Act in Scotland, would be all that this country requires, unless there is a universal demand on the part of the people for prohibition.

2487a. In what way does the Forbes Mackenzie Act work?—Take, for instance, the City of Edinburgh, of which I can speak with more accuracy. The Forbes Mackenzie Act corresponded to a great extent to our liquor law here, in that the sale of liquor was restricted to certain hours in the day and night; all the saloons were to be shut at a given hour. I was a young man in Scotland then, and I remember that it was almost impossible after that hour to get a glass of liquor on account of the surveillance of the police. Unless you could bribe a police officer upon his beat, which I have seen done many a time, you could not get anything to drink. Even then there was a considerable amount of difficulty, because the policemen would look to see if his superior officer was coming around the corner, and all the protections would have to be taken as if you were going to commit a burglary, before you could get a glass of beer.

2488a. At the back of that system was there an overwhelming public sentiment?—No. There was the ordinary belief, for instance, in Scotland that the law must be observed.

2489a. Did you find there was a greater respect for law in Scotland than there is in Canada?—Infinitely more.

2490a. The passage of a law there left the impression on the mind that it must be obeyed?—It must be obeyed like the ten commandments.

2491a. During what hours were the people allowed to get liquor?—Not after eleven o'clock at night; but I am not sure about Saturday night. But my idea is this, that as between prohibition with what might be called the majority of the people in its favour, and a license system enforced as the Forbes Mackenzie Act was enforced in Scotland, I am in favour of the license system.

2492a. You think it controls the drink habits of the people better?—I do. And not only so, but I believe that the police can enforce a license system better. I believe that with the police doing their duty as they do in the matter of larceny, that law can be enforced to the very letter.

JOHN CHERAR.

2493a. Why would you not hope for the same efficient action upon the part of the police in enforcing a prohibitory law, as in reference to the larceny cases?—Because a policeman in this country and a policeman in the old country, are two different things.

2494a. Would you not obtain from the police the same successful action in regard to the liquor traffic, if they applied to it the same conscientious attention that they do to larceny cases?—I think if there was a prohibitory law, and it could only be violated by a man bringing in a keg of liquor surreptitiously and drinking it secretly, in that case prohibition might be held to be successfully enforced. But I do believe there would be any amount of illicit distilling, and if the stills produced the liquor, the liquor would be surreptitiously sold.

2495a. Would you except the making of home supplies?—I think that in certain circles of society it could not be stopped.

2496a. Now, regarding the revenue requirements of the Provinces and of the Dominion, we are told that there are now six or seven million of dollars of revenue derived from the liquor traffic by the Dominion, which would be done away with in case of prohibition. Have you considered how that would be made good?—Made good by personal taxation—no other possible means.

2497a. And in the same way for the Provinces?—Certainly, no other source.

2498a. And the municipalities?—Yes.

2499a. In case of the enactment of such a law would you favour remuneration being made to brewers and distillers for their plant and machinery rendered useless?—That would depend entirely as to when the law came into force. For instance, if a prohibitory law was passed for the Dominion, to come into force at a given date sufficiently remote, I would allow them no compensation whatever. But if the law was to go into operation as soon as passed, then it would probably destroy the property of these people. I would favour bringing it into force on a date sufficiently remote to give the owners of property connected with that traffic an opportunity of turning it round and preventing an absolute sacrifice.

2500a. We would be glad to hear any other statement you wish to make with reference to this matter?—I have very strong views in regard to the liquor traffic. I am myself in favour of the enforcement of a license law until a prohibitory law is demanded by an overwhelming majority of the people; and unless there is that overwhelming sentiment in its favour, it is utterly impossible to enforce a prohibitory law in this country. It is an interference with the rights of the public. A man should not be prohibited from selling liquor unless an overwhelming majority of people concur. If an overwhelming opinion does concur, then I say that a prohibitory law would have a most salutary effect upon public morals.

By Rev. Dr. McLeod :

2501a. You have observed, I suppose, the effects of the liquor traffic on the social conditions, and the morals, and the industrial interests of the country?—Yes.

2502a. Would you kindly state what is the result of your observation?—I was a temperance lecturer myself at one time, but I never was paid for it. I always gave my services without remuneration.

2503a. I ask you, what is the result of your observation of the effects of the drink traffic on the social conditions, on the morals, and on the industrial interest of the country, as the traffic has been carried on under license, and otherwise, during all these years?—That is a very wide question. My own opinion is that the liquor traffic is carried on in Canada with infinitely greater regard for the law than in any other country with which I am familiar, with the exception of Scotland. I have been all over Europe with the exception of the southern portion, and I know of no country where the restricted provisions of the license law have been so well enforced as in Scotland and in this country. I am speaking of the Province of Ontario now.

2504a. What is the effect of the liquor traffic on the social conditions of the people?—The effect of using liquor, when a man gets drunk, is pernicious in the extreme. It leads, as I said before, to violations against the criminal law. If no liquor was drunk in the community, perhaps ninety per cent of all the crimes of personal violence would utterly disappear.

2505a. I want to know what the effect is on the individual drinker, and in a broad way, on the social conditions of the people at large, of the liquor traffic as now carried on. Does it improve them, or the reverse?—I have no experience in a country where people do not use liquor, therefore I am not able to distinguish between the morals of a country where liquor is used and another country where it is not used. You ask my opinion as to the effect on morals. I have already said that crimes of drunkenness and sometimes crimes against the other commandments in the decalogue, spring from liquor, that is, from excess in the use of liquor.

2506a. Can you answer this question: Have you observed that the legalization of the drink trade has any effect on the moral sense of the community?—No, because there is no country without it, to enable me to make a comparison.

2507a. Whether any country has been without it or not, have you observed that the moral sense of the people is affected by the legalization of the drink trade?—No, because in my own experience I never met a man who has not been accustomed to the legalization of the sale of liquor during all his lifetime.

2508a. There are communities in which the sale of liquor is freer than in others, is more general than in others. Have you observed whether a community in which the sale of liquor is free, is affected in its morals and in its social conditions as much as other communities in which the sale is not so free?—No, I am not able to make a comparison, because I can only speak of Canada and the other countries in which I have lived.

2509a. As a man of affairs, you have observed, of course, the industrial interests of the country?—Yes.

2510a. Has the liquor trade a good effect or a bad effect upon the industries of the country?—I say that the liquor traffic, that is, the sale of liquor under the law, has no deleterious effect whatever upon the industrial interests, but the use of liquor *per se* has.

2511a. Is there any relation between the general law of liquor and the establishment of facilities for procuring liquor, I mean the legalized establishment?—The legalized establishments for the procuring of liquor have the effect of restricting the use of liquor; and hence the temperance party in this city have invariably demanded that those legalized means of getting liquor shall be reduced in number, and they hold that if people are allowed to sell without license, it tends to increase drunkenness.

2512a. Do they hold that the increase in the number of licenses also tends to increase drinking?—That is what some of them say, but I do not believe it.

2513a. You think it does not make any difference, as far as Hamilton is concerned, whether there are ninety-five licenses or nine hundred and ninety-five?—Well, there is a little difference. Suppose that instead of ninety-five licensed houses there were two hundred and ninety-five. I think there are certain localities where men who are now sober because they have too much trouble to get liquor, would then, perhaps, be tempted to spend their money in liquor; so, I grant you that within certain limits the restriction of licenses has a good tendency. But, I contend that if there were twenty licensed shops within an area of a couple of acres, the consumption of liquor would be no greater than if there were only five.

2514a. Now, here is a manufactory employing, we will say, three hundred men. Does it affect the drinking habits of those men if a licensed shop is established in that vicinity?—I believe it does. If a man can get liquor by going a hundred yards instead of five hundred yards or a quarter of a mile, I believe that he will consume more liquor.

2515a. It is an inducement to him?—It is a temptation.

2516a. Then do you see any relation between the establishment of that drinking place and the drinking on the part of the men?—I say that if the place was a little further off, the temptation to the man would not be so severe; but, if near the men, then whether there is one saloon or six, does not make any difference.

2517a. One or six would be about the same?—About the same.

2518a. But the proximity of the saloon to the place of employment is a menace to the men, you think?—Not a menace, but a temptation.

JOHN CRERAR.

2519a. Is there, then, a relation between the establishment of drinking places and the drinking of the men?—The exposing of certain men to certain temptations has an effect that would not exist if they were removed; that is all. That principle runs through the whole moral law.

2520a. What is the effect of the liquor traffic on workmen generally, employed in manufacturing establishments and otherwise? I am not now speaking about the man's drinking habit, but of the drink traffic?—I cannot sever the drink traffic from the consumption of drink. I say that without the consumption of drink there can be no injury to the man, and if there is a traffic in drink it ought to be subject to law.

2521a. Does the drink habit of men make the drink traffic, or does the drink traffic increase the drink habits of men?—I do not think the drink traffic increases the drinking habits of men. A man who is addicted to drink will get it when he wants it.

2522a. But the location has some effect?—There is more temptation if it is too close.

2523a. That is to say the drink traffic in Toronto will not affect employees in Hamilton?—I do not say that at all, that is an extravaganza with respect to my argument. I say that if there is a drink shop within twenty yards of a large establishment, and if the men wish to get liquor, the temptation upon them is very severe when the liquor is so near. They cannot leave the works very long, and they will hesitate to go five blocks when they would not hesitate to go one block. Saloons for the sale of liquor should not be placed too close to factories where there is a large number of men.

2524a. You think it is a disadvantage to have them there?—The public usually petition against them, and the License Inspectors usually consider that petition. I think if they are allowed at all, they should be kept far removed from aggregations of workmen, because they test too severely the man's capacity to resist temptation.

2525a. As far as your observation has enabled you to form an accurate opinion, do you believe that the enforced prohibition of the drink traffic would have a beneficial effect upon the industries of the country?—If prohibition were absolutely enforced, I do not think there is the slightest doubt but that it would be beneficial both to the material welfare of the people, because that would mean that there would be no consumption of liquor to the detriment of a man's senses, and his ability to work.

2526a. And if the people enacted a prohibitory law by a large majority, you have no doubt about its proper enforcement?—I think so, if the law has the moral sentiment of the people in its favour. Without that, it cannot be done, in my judgment.

By Judge McDonald:

2527a. By public sentiment, do you mean sentiment that is expressed by speaking and so on, or by action?—No, I do not believe in the sentiment which is produced by what you might call the organized efforts of the temperance party.

2528a. We have been told that in some sections where the Scott Act was carried by large majorities, after it was passed, no action was taken by the people who had voted, and it ended there?—Unless the genuine sentiment exists, it should be deemed not to exist. For instance, there is to be a plebiscite, and instead of having an organization to induce men to vote, I would let every man come up of his own free motion and vote as he pleases, and men who are in favour of prohibition will come up without being dragged. The sentiment I refer to is an overwhelming moral sentiment of the people in favour of a particular course of action.

2529a. Do you mean such a sentiment as would lead those who had favoured the enactment of a prohibitory law, afterwards to give their aid to its enforcement?—No, I know innumerable cases of men who would vote for a prohibitory liquor law to save them from their own incapacity to save themselves, and as soon as the law was passed they would do their best to get a glass of liquor around the corner. These men would like to see a prohibition law passed that would take them by the neck and prevent them from drinking, but after it was passed they would still endeavour to get the drink. So I say that a great revolution of this kind must be the voluntary demand of the whole people, without being forced or organized into bands to bring about the change, otherwise it will never last, and the last state will be worse than the first.

By Mr. Clarke :

2530a. How is the license law enforced here?—Fairly well, compared with other cities. The license law is in this happy position: that when it is enforced as well as anywhere else, it is condemned more than in any other part of the country.

2531a. How do you mean "condemned more"?—Because there is a party here that is ceaseless and sleepless in condemning the working of the license law in Hamilton, when as a matter of fact it will be found in comparison to be better enforced here than in any other part. There are newspapers in this city, the business of whose editors consists in condemning the liquor law. They never let up in regard to the administration of the liquor law in this town; but I challenge any other city in this country to show statistics which will indicate that the liquor law is more strictly enforced than in this city of Hamilton, or where there is less drunkenness in proportion to its population. I throw out the challenge to these gentlemen to show any community of the size of this city where there is less drunkenness and less crime springing from the use of drink, than there is in Hamilton.

2532a. Still, in proportion to your population, you have a larger number of licensed places than other cities?—There is a difference of opinion with regard to the effect of the number of places. The licensees we have are living from hand to mouth, they do not make any money out of it. Those gentlemen state that they are all under mortgage, and do not know that their souls are their own. There are some who can hardly make a living. As to whether a lesser number would have the effect of diminishing the sale, is a serious question.

2533a. There have been statements in the newspapers that it is the intention to have an investigation into the operation of the license law here?—I have been told so. That has sprung from the charges which are constantly reiterated by the newspapers to which I alluded, without the slightest foundation.

2534a. You give it as your opinion that the law is well enforced?—I am personally not aware that it is better enforced in any other city.

2535a. You have not had much experience of the operation of the Scott Act?—No, except to travel through the country where it was in operation.

2536a. How did you find the condition of things in those counties compare with what exists here under license?—Well, I have been in several counties where the Scott Act was in operation, and I always found myself with a number of companions away in some back room with a faint light, paying two prices for bad liquor, and any number of people there. I must say that I made this experiment two or three times, just as a test. I was County Attorney, and I wanted to find out, as a matter of curiosity, how the law was enforced. I have asked, just by way of experiment—not from any love of liquor, I assure you—I have asked several people in places where I have been: "Now, can we get a horn here?" "Oh, yes; no difficulty." Then we would be taken down behind a screen, round by a back door, and when we came in there the light was down, but we found the place literally jammed. I could name several cities, at least more than one, in this Province of Ontario, where that was my experience.

2537a. Is it better that such a traffic should be carried on in these places illegally, than that it should be licensed, controlled and regulated?—Morally speaking the Scott Act in that shape was infinitely more degrading to the people than a license Act. Men lose their self respect who surreptitiously break a law in that kind of way.

2538a. Do you know whether, as a result of the Scott Act, liquor was brought into the homes in kegs?—I only know that from hearsay, not from personal knowledge.

2539a. What was the moral effect on the community of having the Scott Act nominally enforced, and practically ignored?—It has the moral effect of making the majority of the people laugh at the law, which is a very bad thing, in my judgment.

By Rev. Dr. McLeod :

2540a. What is the moral effect on the community of legalizing the traffic?—No other effect than the ordinary effects in all communities with which I have been acquainted for fifty years. I have no experience of any community where there was not a legalized liquor traffic, except an experience in some places where there was no legalized supervision.

JOHN CRERAR.

2541a. You have said that the traffic is productive of mischiefs of a certain kind?—No, I said the use of liquor. I said it was a benefit to have the traffic under Government control. It is much better than that every man should make his own whisky and sell it to his next door neighbour, and have free trade in whisky. Henry George says that free trade in whisky is the way to kill it. I differ from him there, although I agree with him in most other things.

2542a. You say that most licensees live from hand to mouth. Do you know whether it is a fact that a number of these men holding licenses, are simply the agents of some concern which is the real proprietor?—They are agents in the same way in which a wholesale merchant, for instance, has got what they call a supply man in the country—a very good mercantile term—the supply house of a wholesale merchant. For instance, the wholesale merchants supply goods to a country storekeeper, and that man is practically debarred from buying his goods elsewhere, and the wholesale man keeps him going, and the retail man dare not go elsewhere. Now that exists in groceries, in hardware, and in every other large business.

2543a. Whenever that business is not profitable, the wholesale man shuts it up?—Why should he not if the man owes him money? In the meantime, he is generous enough to allow the other man to make a living.

2544a. You think a number of these licensed places are held on the same plan?—No, I say that the manufacturers of liquor, having no confidence in the retailer's ability to pay, allow him to sell their goods, taking the precaution of getting what is called a chattel mortgage as security for their debts.

2545a. We want to find out whether a lot of these places are really owned by some one firm rather than by the persons in whose name they are conducted?—They are not owned to any greater extent than the supply houses or stores I speak of are owned by wholesale merchants who sell the goods. These chattel mortgages are taken merely as a guarantee that the men will pay for the goods they purchase.

By Mr. Clarke :

2546a. Were you ever down in Maine?—Never. I have been in Chatham in the time of the Scott Act.

By Rev. Dr. McLeod :

2547a. You speak about personal knowledge of these things?—In the cases of which I spoke, I was giving you personal experience, because I was curious to know something about the Scott Act, and was bound to know what other County Attorneys were doing in regard to the Scott Act. I had discussions with them, and I took the opportunity, just for my own information, of making the experiment in Scott Act counties.

2548a. And for no other reason?—For no other reason whatever—except sometimes I was thirsty.

2549a. Do you object to tell me for my own information how many years it is since you went on those lecturing tours?—Well, I was a very strong teetotaler up to the age of twenty-three. From that time to this I have not been a teetotaler in the old good sense of the term; but there is nothing the matter with me.

2550a. It was prior to the time you were twenty-three that you lectured on temperance?—Yes, and it was pretty brilliant if you could have heard it. I was just as impetuous then as I am now. I was a very good temperance lecturer, but I was not paid for it. Now you have got to be paid for it.

FREDERICK WALTER, of Hamilton, License Inspector, on being duly sworn, deposed as follows :—

By Judge McDonald :

2551a. How long have you lived in Hamilton ?—Twenty-four years.

2552a. You are associated as License Inspector with Mr. McKenzie, who has already given his evidence ?—Yes.

2553a. How long have you been Inspector ?—Three years.

2554a. Is your business confined now to inspecting ?—Yes, and so is Mr. McKenzie's.

2555a. The whole time of both of you is given up to that ?—Yes.

2556a. How do you find the prohibitive clauses of the License Act carried out in this city ?—Carried out fairly well compared with other places.

2557a. Do you exercise an unceasing vigilance in looking after the people who are engaged in the traffic ?—I visit them personally.

2558a. And do you keep the traffic under good control with respect to observing the hours on week nights, and also the Sunday clause ?—Yes.

2559a. Have you any trouble about their selling to minors ?—We have some complaints in that direction.

2560a. Have you followed them up ?—To some extent. We have generally cautioned those people by warning them against it.

2561a. Have you had any prosecutions ?—We have had two, and they were fined.

2562a. For selling to boys ?—Yes. In this case it was sold to boys whose father was getting drunk in the house. The boys were taking the liquor to the father.

2563a. Have you cases where the boys themselves drank liquor ?—No. Where liquor is sold to boys, it is generally taken to their parents.

2564a. Have you had sales to Indians, to deal with ?—No. There was a prosecution here a short time ago, but it fell through for the want of evidence. It is difficult to get evidence in such cases.

2565a. How about unlicensed traffic ?—We have very little of that in the city, less than in any other city in the Province, I think.

2566a. We understand that, besides yourself and the Inspector, you have the aid of the regular police force ?—Yes.

2567a. Are there any suggestions you could give us as to how the Act could be improved to make it more efficient ?—There are points in which I think it might be amended beneficially.

2568a. We would be glad to take a record of them and bring them before the authorities. For instance, it has been suggested that in case of an infraction of the license law a certain number of times, the penalty should be put upon the premises. Have you considered the matter ?—Yes.

2569a. What do you think of it ?—I think that, in some circumstances, it would be a very wise provision.

2570a. You think it would have the effect of preventing a breach of the law in some cases ?—I believe it would, judging from my own experience.

2571a. Take, for instance, the adulteration of liquor. Have you reason to believe that it exists to any great extent ?—I have been told that it does.

2572a. Do you favour a system of inspection ?—Yes, I think it would be very beneficial, and a saving of money to the Government.

2573a. Do you think the sum charged now for license fees is sufficiently large ?—I think, according to the number of licenses we have here, it is not too much. I think it should not be any smaller.

2574a. We are told you have ninety-five licenses here, and ten of these are places without hotel accommodation. Do you think it desirable to continue that system of licensing places that have not accommodation ?—I see no objection to it.

2575a. It is urged on the part of some persons that these are merely drinking places ?—That may be, but there are other things to be considered in their favour.

FREDERICK WALTER.

2576a. Would you state what they are?—I have a good deal of experience in visiting the houses during prohibited hours. In a hotel, or a place where travellers are staying, or a large number of boarders, it is very difficult to find out whether they are breaking the law; but in the saloon where people are going in and out, there is no difficulty, if anything is going on that is not right, in finding it out. It is much easier to detect a saloon breaking the law than a hotel.

2577-78a. If either were to be done away with, would it be better to do away with the hotel license or the saloon license?—I should think it would be better to do away with the saloon. But I do not see why that should be done. The Act does not call them saloons now. In printing the license, the Government prints it as a saloon license, and so we call them by that name.

2579a. You rather prefer the saloon because it is more easily controlled?—Yes, because I believe they do a more legitimate, straightforward business in the way of selling liquor.

2580a. Supposing that evil is being caused to the community by either class, which causes the most evil?—I think the tavern is doing as much evil as the saloon, because there are other evils besides drinking.

2581a. To what do you refer?—Sometimes men meet together for other purposes besides drinking.

By Rev. Dr. McLeod:

2582a. In connection with the trade?—Yes, which would be less likely to occur in a saloon than in a tavern.

By Judge McDonald:

2583a. One view is that the hotel is the more dangerous, because people who would not go into a saloon, will go to a hotel, and while there, indulge in drinking; while it is contended that the saloons, being for drinking purposes only, only drinking people will go into them, and what occurs there is known to nobody. It is also stated that gambling goes on in saloons owing to the concealment, which would not go on in the hotel?—I have considered those matters. The bar of the saloon is generally on the street, quite open, and all that is done is observed by any one who goes in and out. Frequently a hotel bar will be somewhere in the rear, and they will take liquor up to the rooms and other parts of the house, where other things may be going on. It is difficult to find these things out.

2584a. Would you favour an amendment to the law so that instead of having in your city eighty-five tavern and ten saloon licenses, this number would be reversed?—I would. I think the revenue would be larger.

2585. Do you think the liquor trade should be separated from other trades?—Not altogether, but I think the hotels might be better conducted, and saloons also.

2586a. In other words, you would make the retail sale of liquor for beverage purposes, a separate business from anything else?—I would not take it away from the hotels. I think a certain number of hotels are needed, and I would not like to see liquor taken away from them. It is a very necessary thing in order to make a hotel a paying institution.

2587a. You say you would reverse the number and have only ten hotel licenses. Would these ten hotels accommodate the travelling public?—Of course they would be larger than at the present time. We would get improved hotels.

2588a. Do you yourself favour the enactment of a general prohibitory law for the whole country?—No.

2589a. Why not?—I think it would greatly decrease the amount of revenue; and I also think it would be almost impossible to enforce it.

2590a. In case such a law were passed preventing the manufacture of liquor in the country, would you deem it right that brewers and distillers should be remunerated for their loss of plant and machinery rendered useless?—I think they should be. They have entered into it under the protection of law, and spent their money in it, believing it to be a legitimate traffic, and they should be compensated.

By Mr. Clarke :

2591a. Did you hear the evidence of Mr. McKenzie this morning as to the way the law was enforced here?—Yes.

2592a. Do you concur with him generally that the law is well observed?—Yes, the law is well observed.

2593a. Now, with regard to this park license. Mr. McKenzie seemed to think it was a good thing to give a license there?—I have never known any ill effects to come from it. I have been there on a great many different occasions, meetings of various societies of workmen, and I never saw any ill effects.

2594a. How many seasons has that license been issued?—I could not say how many years.

2595a. Do you think it promotes temperance to have a beer license there?—I could not say it promotes temperance; but doubtless liquor would be taken there by many parties if there were no license, but perhaps there would not be so much drinking as now.

2596a. Would you favour taking away the license from that park?—Of course, I have never considered it in that light. I suppose it will be taken away, I understand this is the last year it will be run for that purpose.

By Rev. Dr. McLeod :

2597a. It is a license to sell beer and wine only?—Yes, for six months.

2598a. Have you any reason to believe that they sell other liquors than beer and wine?—I have strong reason to know that they do not.

2599a. Do you think whisky is sold there?—No. I have been on the ground several times when they were not expecting me; and I have been on committees myself whose business it was to investigate, and I have known parties to go there and beg for liquor when the parties themselves were sick, and they could not get it; the licensee said he never kept it, and I do not believe it was ever sold.

2600a. You devote your time exclusively to the purpose of inspection?—Yes.

2601a. How often do you make an examination?—Very frequently.

2602a. Have you any regular time?—No, I try to make my time as irregular as possible.

2603a. So they do not expect you?—No. Sometimes I go in the night and sometimes in the day.

2604a. Do you also look after illegal sellers?—Yes, I had several fined.

2605a. Do you know anything about liquor being sold on the race course near here?—I was there once, and saw liquor sold there.

2606a. Under a license?—I do not know anything about that; I believe it was not.

2607a. Were you Inspector then?—Not in that district. It is not my district. I suppose you refer to some races last winter on the ice near the city of Hamilton. Some liquor was sold then.

2608a. By people who keep licensed places in this city?—No. Five people were prosecuted for that and fined.

2609a. How many real hotels do you think there are in the city? The Inspector told me this morning there were eighty-five. Do you think they are all real hotels?—They really have facilities for doing a hotel business.

2610a. Do they do a hotel business?—It is difficult to tell.

2611a. Do you visit them?—I do sometimes. I find guests there; sometimes not many. But it is a very difficult matter to tell whether they do a hotel business. Of course, if there are only two people sitting there, and the house has the accommodation the law requires it is really a hotel.

2612a. How many of these eighty-five do you think are general hotels in the ordinary understanding of the term?—I do not know what you mean by the ordinary understanding of the term. We call them hotels so long as they have bed-rooms and give a man a meal.

2613a. Hotels for the purpose of the license law?—They have all the law asks for.

FREDERICK WALTER.

2614a. Do these saloons have facilities for giving meals?—Yes; that is, they have facilities for giving a man a meal if he asks for it. But that does not often happen.

2615a. Most of them are able to give a meal if some person goes and asks for it?—That is all the law demands.

2616a. Have they other facilities for doing that aside from what they have for their own family use?—I do not know that they have. Of course some of them have a family, and they require to have stoves and cooking utensils for getting up meals.

By Mr. Clarke :

2617a. Would you favour the issue of licenses for the sale of light wines, native wine and lager beer?—We have not had much experience here with wine and beer licenses. We had one, and from what I was told, it was a failure. They would sell other liquors; they would not observe the law. The reason why such a license was given to Dundurn Park was because it was so open that nothing else could be sold without everybody being cognizant of it.

By Judge McDonald :

2618a. You think there are many of these places which have bed rooms and facilities for furnishing meals, but if they were really bound to do a hotel business, they would have to close up?—I think a great many of them would have to close up.

2619a. I suppose that at fair times and assizes times, some persons do more business than at other times in the way of keeping travellers?—Yes.

ARCHIBALD McKELLAR, of Hamilton, High Sheriff of the County of Wentworth, on being duly sworn, deposed as follows :—

By Judge McDonald :

2620a. How long have you held that position?—Eighteen years. I have resided in Hamilton about eighteen years.

2621a. Have you had any official position in connection with the License Board since you lived in the city?—I had for a few years at first. I was one of the Commissioners.

2622a. How long is it since then?—I was Commissioner five years, and I resigned.

2623a. Any knowledge you have of the operation of the License law as at present existing, is merely as a citizen?—Yes, I have no official connection with it.

2624a. As High Sheriff of the county, the prisoners who are committed to jail are virtually under your charge?—Yes. Those who are men are sent to the Provincial institution; their names, their nationalities, their age, and the offence they have committed, all pass before me.

2625aa. Do you find that any large proportion of the prisoners who are committed to the common jail of the county have been persons of intemperate habits?—Yes.

2626a. Could you say how large a proportion?—I could not say, as I have not had time to look that matter up. But it is a large proportion.

2627a. I suppose you have a good many prisoners committed to that jail for drunkenness?—Yes.

2628a. From your experience do you find that there is any beneficial result to these individuals from short terms of imprisonment for drunkenness?—I am not aware that they are permanently benefited.

2629a. From your experience, would you favour institutions being provided where men who are the victims of alcoholism could be committed for a longer term?—Yes, if a cure could be effected. They do not get much good from short sentences. The Salvation Army had an organization here, which took them in hand when they left the jail and helped them to get work. But that organization is broken up, and now most of

them, when they go out have no money, no friends and no one to look after them ; and I believe in a large majority of cases, they get back to what they were before.

2630a. Have you had any experience of the working of a prohibitory law ?—No, not beyond what any other citizen might have. The county I came from had one for a while, but then it was not observed.

2631a. What was the trouble about it ?—Well, I think the trouble was that public opinion was not sufficiently strong to sustain it. I am a teetotaler myself, perhaps I am the oldest teetotaler in this city, and I have neither tasted nor handled any intoxicating drinks since I was a boy, for at least seventy years ; so that I can speak as a temperance man. Many of our temperance men ask that the Government should pass a prohibitory law. My opinion is that a Government should never go in advance of public opinion ; and the question to decide is, is public opinion prepared for that ? I suppose that is one of the objects this Commission is endeavouring to find out. But if public opinion was prepared for it, I should rejoice to see a law prohibiting not only the drinking but the manufacture of intoxicating liquor, because I believe that the drinking usages now cause the heaviest burden that this country has to bear in the way of taxation.

2632a. Have you found a great improvement in the habits of the people from year to year ?—Oh, very much. When I was a boy they would not bury a man without having intoxicating liquor. They would think it just as wrong to do that as we would think it to put a body into the ground without a coffin.

2633a. They must have liquor on hand ?—They had liquor at funerals, barn raisings, logging bees, weddings and on almost every occasion. I remember one man who died here a short time ago, about ninety-eight years of age. When he was a boy he had a brother about my age, eight years old, who was taken sick with erysipelas. The other brother expected he was going to die, and he got a little keg that would hold about two gallons of whisky, and put it in a bag, and went twelve miles to the distillery to get whisky to use at the funeral. He got the whisky before he did the coffin. Fortunately the boy recovered ; still they used the whisky just the same. There is a great improvement in the country in that respect.

2634a. You have spoken of public sentiment being at the back of the success of such an enactment. Now, supposing that in one or more of the Provinces of this Dominion, taking it from ocean to ocean, there was a decided sentiment in favour of prohibition, and in others, a decided sentiment against it, would you expect the law to have the same success over the whole Dominion ?—No, I would not. Where they are against it, how would you enforce it ?

2635a. Then you think that the amount of sentiment in favour of its enforcement has a good deal to do with the success of the law ?—I think so.

2636a. In case of the enactment of such a law, would you favour remuneration being given to brewers and distillers for their plant and machinery that would be rendered useless ?—As a matter of equity, if I were dealing with it, instead of remunerating them, I would make them pay for the injury and expense they are causing the country.

2637a. You have thought that matter out ?—I have.

2638a. How would you arrive at the amount of that injury and expense ?—Of course, I have not gone that far yet. But I believe that the men who cause the expense ought to pay for it. I would be in favour of a law giving them a license on the understanding that they should pay all the expenses of the administration of criminal justice in cases arising from the use of drink.

2639a. Would you favour the enactment of a prohibitory law preventing the manufacture, importation and sale of intoxicating liquors, if you thought it could be enforced ?—Most undoubtedly.

2640a. We are told that there are some six or seven millions of Dominion revenue now derived from the traffic. How would you make up for the loss of that revenue ?—That is quite true, but then you can balance that amount by the sums we are paying for jails, court-houses and institutions of that kind.

2641a. The Dominion is not paying for these institutions ; the Provinces have to do that. But there would be a loss to the Dominion revenue of six or seven million dollars, and how would this loss be made up ? Supposing it had to be raised either by

ARCHIBALD MCKELLAR.

increased tariff duties, or by direct taxation, which plan would you prefer? Would you think it better to submit to increased taxation for the sake of having such a law passed?—I would, because it is not a question of money, but of the destruction of life and property.

2642a. Do you think there would be a greater paying power on the part of the people if such a law were efficiently enforced?—I do.

2643a. Does the same remark apply to the Provinces who derive a revenue from licenses?—I think it would be a benefit to the people, because they who are now spending their time in jail, would then be at work in producing. And the same remark applies to municipal taxation.

2644a. We would be glad to hear any other statement you wish to make.—I believe it is just that men who throw a burden on others should be held responsible for it; and I hold that brewers and distillers are manufacturing an article that is producing an enormous amount of loss, both of money and of life. We must take that into account. I know families here in the city where the man was doing very well for a time, but he began drinking and died, and his wife and children are now in poverty. Now what value would you place against a man's life? These are things that have to be taken into account.

2645a. Is there any further statement you would like to make?—Although I am a temperance man and would like to see every other man temperate, and would like to see a prohibitory law, at the same time I would not urge the Government to pass such a law until they were satisfied that the community was prepared to carry it out. I also think that if our public men in our Legislatures, municipalities and elsewhere, would themselves set the example of abstinence, they would exert a wonderfully good influence. You know we are creatures of imitation from the cradle to the grave, and if we have good models before us we are very apt to follow them. I think we should endeavour to get the people in high places to set such examples.

2646a. Do you find that the churches and the temperance societies have been exercising an increasing influence for good in this direction?—I think so. The churches are now all temperate; but there was a time when the Presbyterians, the church that I belong to, the Old Kirk branch, used to like a little toddy, but they have given that up. The Methodists have gone a long way; in fact, all denominations are now temperance men and are exerting a powerful influence in every part of the country. I remember the days of Father Matthew, and I know how much good he did. I remember being in Ireland and seeing how much the temperance cause has gained there.

By Rev. Dr. McLeod:

2647a. You speak about the returns of imprisonments. From whom could we get those returns?—From the jailer.

2648a. I suppose he could give us a record of them?—Yes. These statistics are all embodied in the Provincial statistics. I do not know that there is anything more I would like to say, only I hope that you will all become temperance men and become an example to others. I have been for seventy years a total abstainer, and it is owing to that, under the blessing of God, that I enjoy my health to-day. I am now in my seventy-eighth year, and am stronger than many men ten years younger. Gentlemen, I am pleased to meet you, and I hope your labours will be crowned with great success.

REV. D. L. BRETLOUR, of Burlington, on being duly sworn, deposed as follows :—

By Judge McDonald :

2649a. Where do you reside ?—In Burlington, in the County of Halton.

2650a. How long have you been a minister of the Methodist Church of Canada ?—Nearly thirty-three years.

2651a. We have had before us and placed upon our record, the declaration of the General Conference of that Church, held in Montreal in 1890. Do you individually concur in that declaration ?—I do.

2652a. How long have you resided in the County of Halton ?—Some years ago I resided there for three years. I am now again residing there for nearly two years and a half.

2653a. When you resided there previously, was the Canada Temperance Act, commonly called the Scott Act, in force ?—It was. Halton is now under a license law.

2654a. Perhaps the simplest way would be for you to make a statement to the Commission of the condition of affairs in Halton under the Scott Act, and the condition now ?—I came into the County of Halton two or three months after the Scott Act went into operation. My church was in Milton. I was in the county then fully three years during the operation of the Act, and took some part in its enforcement. The enforcement of the law, so far as the temperance people were concerned, was committed to a central committee in the county, many of whose members resided in or near the town of Milton, so that a meeting of the committee could be easily obtained. There were many difficulties in the enforcement of that law. Little by little many of those difficulties were removed until the sentiment became so strong in favour of the law that its enforcement was much less difficult at the end of the three years of my residence there than at the beginning, and there was very little trouble in enforcing the law. The enforcement of it created a good deal of antagonism between the two parties, and those who were most active in its enforcement were subjected to various persecutions and personal indignities. In my own case they hung me up in effigy in my own town, within a stone's throw of my own church. They also sent me letters threatening my life ; if I did not cease my efforts in seeking to enforce this law, my life would be forfeited, and so on. But the enforcement of the law went on. During my stay there the final effort to repeal the Scott Act was made. We sustained the Act by more than double the majority with which it was first carried. The sentiment in favour of the Act at that time was very strong, and the enforcement of it was very rigid and very effective. One person came into the County of Halton and it was alleged, and I think correctly, that he had made a heavy bet that he could purchase liquor anywhere in the county. This man, travelling from one end of the county to the other, went through the towns and sought to buy liquor, but could not buy it ; he sought to beg it, but could not beg it ; he tried to borrow it, but could not borrow it ; he tried to steal it, I suppose, but could not steal it. Finally, he got an order from a physician for a pint of liquor at a drug store, and that became the foundation for a report that any one could obtain liquor of any kind from one end of the County of Halton to the other by means of a permit from a physician. I know that any statement that liquor was free, or that liquor could be obtained at any time in the County of Halton in those days, is not true, as far as my personal knowledge goes. Another statement made in the county of Halton during those days was, that the Scott Act had driven the sale of liquor out of its legitimate channels into the homes of the people, and that there was liquor in homes then where it had not been before. I took a little pains to inquire into that matter, and I inquired about it of a gentleman who was assessor of one of the townships of the county. I asked, "Have you found liquor in the homes of the people so far as you have entered them ?" He answered, "I have not found it. I have been offered liquor in only one house in half of the township which I have gone over in the discharge of my duty as an assessor." I believe this evidence showed the true state of the case in the county generally, and that it is not true that the Scott Act drove liquor into the homes of the people. I retired from the county soon after the vote was taken sustaining the Act.

REV. D. L. BRETLOUR.

2655a. How did the medical men observe it?—During the first part of the Scott Act period, some of the medical men were a little careless, and they gave orders very generously, as appeared afterwards in the Government returns, but in the latter part of the period they were very strict and careful, and there was very little difficulty with them. I myself went to some physicians in the town of Milton, and charged them with giving orders to old drinkers and bummers, as they were called; and I charged them that they knew they were evading the law when they did it. I further said, “if you continue this, gentlemen, I will denounce you before the court.” After that interview with these men, I heard a druggist say that he did not make money enough to pay his license fee, and there was then one wholesale license in the town. From that time we had very little trouble with the doctors. Nearly all of them signed a petition asking that no wholesale license be given in the county of Halton, as they did not need it. I saw but very little drunkenness during those days. I have lived in license cities and towns all my life, and I have seen more drunkenness in one week in some of them than I have seen in twelve months in the town of Milton. It was stated by an official of that town that there were a great many places in the town, mere shebeens, where men could get liquor at any time. After that statement was made, I was overwhelmed with letters asking me if it was true. Soon after that it happened that this same gentleman was brought before the court in a liquor case, and in his testimony he said that he did not know of a place in the town of Milton where liquor could be obtained. So we put that gentleman’s oath on one side against his opinion on the other side. With respect to social order, the effect upon society in the county of Halton was of a marvellously healthy kind. I was not in the county before the Scott Act came into operation, but they all told me that during the two preceeding years there was a pandemonium in the county town when the fair was held. But after the Scott Act came into operation, during fair time, not a drunken man was to be seen, and at seven or eight o’clock in the evening the town would be as quiet as on Sunday.

2656a. After an absence of some time, you went back and resided two years and a half under a license law, in the village of Burlington, how do you find the state of things now?—So far as my observation goes, in the village of Burlington, there is a great deal more drunkenness now than there was in the town of Milton. I had not lived in Burlington before and cannot compare Burlington with itself.

2657a. How many licensed places are there in Burlington?—Two.

2658a. In that place, was the law well observed?—Yes, I am told so. The people say that after it was repealed they still found beneficial results produced by it. Having had experience of the law itself in the county of Halton, the people have been uplifted, and we find the public sentiment and the moral feeling in the county, what it is to-day. There are no licenses outside the incorporated villages and towns in that county, and one of these, I think, is a beer and wine license. The moral uplift caused by the enforcement of the law during those six or seven years of its operations in Halton, has been of wonderful benefit to the people of that county. Three or four days ago a leading gentleman in that county with whom I was talking about the absence of saloons in the rural parts of the county, said to me: “The benefit without doubt has been very great, and we are reaping that benefit to-day. The enforcement of the law in Halton has had a very good effect in other counties all over the Province.”

2659a. Were you there when the vote was taken the second time which resulted in repeal?—No.

2660a. Could you give me the explanation as to how it came to be repealed?—My view on that point might possibly be considered a little extreme. I do not think there was any change in the opinion of the people of the county of Halton on the temperance question. It was not because the people were tired of prohibition that they thought a change to license would be of benefit; the causes which lay behind the change of sentiment which finally resulted in the repeal of the Scott Act, were much more of a political than of a moral character. That is my view.

2661a. The majority was never very large, it is not a large county?—About 22,000 of a population.

2662a. I noticed by the records before me that when the law was adopted in 1881 there was a majority in its favor of eighty-one. The next time it was voted on, in 1884

there was a majority in its favour of one hundred and eighty. Then, on the first of March, 1888, it was again submitted to the people, who gave a majority of one hundred and ninety-seven against it. So you think there were side issues that came in?—I do.

By Rev. Dr. McLeod:

2663a. Would you state a little more fully the influences that brought about the repeal of the Act?—Well, I happened to be Secretary of the Temperance Enforcement Committee, and I was waited upon at two different times by individuals, whether of their own motion, I know not; or whether they waited upon me by concert with others, I know not; but I was very solemnly asked to exercise my influence with the Enforcement Committee, to let up upon the question of enforcement. I asked, why? Because, they said it would hurt the party. I think, also, that the rigidity of the enforcement sometimes bore strongly upon some men, and those with their friends would of course use their influence against the Act.

2664a. But you are fully persuaded in your own mind that political causes and exigencies brought about that repeal?—That is my conviction.

2665a. You do not understand the repeal to have indicated the position of the people towards the prohibition of the liquor traffic as a national measure?—I do not. On that first point I might be permitted to add a word. On the evening before the second repeal vote, I was speaking in a certain place, and the gentleman in whose house I was staying, a prominent citizen and a prominent temperance worker in the county, was conversing with me on the matter. I told him what I had heard, and asked him “Are these things true?” He said, “I am afraid they are.” Then I said to him, “Doctor, you will lose that vote to-morrow.” He said, “I do not think so”; but he did. I have been confirmed in that conviction by a number of things, and I have not changed it since.

2666a. Do you know anything of the repeal agitation in other counties than Halton, and whether like influence affected the result?—I do not know.

By Mr. Clarke:

2667a. Is the Act a workable measure?—We considered it fairly workable.

2668a. Can you suggest any amendment that would make it more workable?—Yes. At the time we suggested many amendments to the Dominion Government, but they were not granted.

2669a. Do you recollect any of them?—There was one with respect to fines. There seemed to be a good deal of difficulty with regard to the disposal of fines. It cost the temperance people a great deal of money, personally, to enforce the law.

2670a. The Order in Council provided that the funds should go into the municipal treasury. What change did you wish to be made?—We wanted to get hold of the fines, and I think if we had been able to use them we could have enforced the Act better. My recollection now is that in the beginning we got about half the fines.

2671a. Where did the other half go to?—I do not remember.

2672a. Did that plan work well—giving you half the fines?—We considered the Act fairly workable. Of course, there were difficulties in the enforcement, and we made some recommendations for its amendment which I do not exactly remember now. But we did not get them, therefore, we had to work under disabilities. Another difficulty that existed was an uncertainty as to where the supreme power of enforcement lay.

By Judge McDonald:

2673a. Do you favour the enactment of a law to prohibit the manufacture, importation and sale of intoxicating liquor for the Dominion as a whole?—I do, certainly.

2674a. Would you in such a case admit the making or importation of liquor for mechanical, sacramental and medicinal purposes?—I presume some arrangement of that kind would be necessary.

2675a. Would you favour the making of it in the country, or the importation?—I have not thought of that question, whether the one plan would be the better or the other.

REV. D. L. BRETHER.

2676a. In case it was allowed to be manufactured here for those purposes, would you propose it should be done by the authorities?—Yes.

2677a. In case of the enactment of such a law, would you favour remuneration to brewers and distillers for their machinery and plant that would be rendered useless?—No, I do not think I would.

2678a. Have you considered at all the mode of making up for the loss of revenue which would ensue upon the prohibition of the liquor traffic?—I do not think that any Government should put the moral condition of the people in the balance against revenue from the liquor traffic. No Government should continue to draw a revenue from that traffic, because they see no way of making up for the loss of that revenue if the liquor traffic were abolished. The moral well-being and the social well-being of the people should be the first consideration of the Government.

2679a. Of course, we all agree with you in that view; but still there is the fact remaining that there would be a necessity for raising this revenue, both for the Dominion, for the provinces and for the municipalities; and holding the view you do, you would relinquish that source of revenue and raise it in some other way?—Yes, if necessary. The increased paying power of a moral and sober people would speedily reimburse the Government for this loss.

2680a. Would you recommend that the Government raise this money by an increased tariff, or by direct taxation?—I would say by direct taxation.

2681a. In case of the enactment of a prohibitory law for the Dominion, would you think it desirable to commit its enforcement to the Dominion, or to the Provincial, or to the municipal officers?—I should say, not to the municipal officers. I would say to officers appointed either by the Dominion or the Provincial authorities.

By Rev. Dr. McLeod:

2682a. We are charged to examine into the effects of the drink traffic upon the morals of the people and their social condition. Now as a pastor for thirty years or more, have you observed whether the drink traffic and the drink habit have had the effect of producing in any degree the misery, the poverty, the abuse of families, the neglect of children, and the irreligion with which you have come into contact?—So far as the drink habit is concerned, it is disastrous to the individual, to the family and to society. A great deal of social degradation grows out of the drink habit. So far as the drink traffic is concerned, my judgment is that it demoralizes the conscience of the people. The legalization of a traffic so full of disastrous results, is an education of the public mind in the wrong direction. In my judgment, where the traffic is delegalized, driven into darkness and holes and dens, where men cannot get it easily, there is a large moral uplift of the public mind and an education of the conscience in the right direction, though there might be in some cases a reaction for a time which would injure the sense of conscience in the people to some extent.

2683a. Do you know any other one thing that produces so largely distress in homes, demoralization generally, and neglect of children, as the drink habit?—My observation and experience tell me that there is no other cause so great.

2684a. You make your statement from your observation and experience as a minister, brought into intimate contact with many families?—Yes.

By Mr. Clarke:

2685a. What is your theory regarding the repeal of the Scott Act in all the counties of Ontario in which it was once in force? If it was doing the good that many believe it was doing, how is it that the opponents of the law were able to secure majorities against it in every county and wipe it off the statute book?—I had no experience in other counties than Halton. I do not recollect that I took any part in the advocacy of the Act except in the case of Halton; and I do not know what the causes were which lay behind the change of public sentiment in the other counties of Ontario which had adopted the Scott Act.

W. W. BUCHANAN of Hamilton, journalist, on being duly sworn, deposed as follows:—

By Judge McDonald :

2686a. How long have you been residing in Hamilton?—Eight years.

2687a. Have you been a journalist during all the time of your residence here?—

Yes.

2688a. What paper do you conduct?—*The Templar*.

2689a. Have you had any experience in the working of a prohibitory law in any of the counties of this Province?—I was for a short time in Lambton County during the existence of the Scott Act, but I left for Winnipeg shortly after it went into force. It seemed to produce a very marked diminution in the amount of liquor sold and the amount of intemperance visible.

2690a. You were not there during the whole time of its continuance?—No.

2691a. But so far as your observation extended, the effects were beneficial?—Yes. In the small town of Watford, of less than two thousand inhabitants, the difference was very noticeable.

2692a. Can you make us a statement with reference to the mode of carrying out the license law in this city? We have had evidence before us that there are in Hamilton ninety-five licensed houses of public entertainment, together with a certain number of shops, and a park license. Now, what have you got to say about that park license?—I think the park license is very flagrantly violated, that is, the sales go very much beyond the limitations. It seems to me it is an excuse merely for selling anything and everything of the character of strong drink. It is a beer and wine license, and only for six months. The park is a public resort, a place where, under ordinary circumstances, families would desire to go. Whenever there is a large attendance of people at that place, there is generally a noisy, drunken time, and a large number of policemen are called in to preserve order. I have visited the park myself, and have seen with my own eyes two places where liquor was sold, and I have seen witnesses who have seen a larger number than that. I have also seen bottles labelled with names that indicated stronger drinks than wine and beer, such as gin and whisky. The bottles were plainly seen. I have seen not only white men and boys drinking there, but Indians.

2693a. Did you call the attention of the Inspectors to those things?—We have.

2694a. The Inspector told us to-day that the licensee rigidly observed the law, so rigidly observed it that even private individuals are not allowed to carry in liquor in their pockets or in picnic baskets, and if any is discovered in their possession, the police take them up?—I may say that I published the statement I have just made, and the gentleman entered an action against me for libel, but withdrew it and paid his own expenses. The fact had been ventilated in public, and the Inspectors and Commissioners are well aware of these charges. I have also made them before the whole Board of Commissioners.

2695a. Were they investigated?—I think so, but I do not know how far. I know that this summer after these statements were made, the same condition of things continued to prevail.

2696a. One Inspector tells us that the business is going to stop, that the man is giving up the license?—It will be a good thing for the city, I am sure.

2697a. Now we will come to the ninety-five licensed places in the city, taverns with or without equipment. Supposing that the liquor traffic is to remain licensed in the city of Hamilton, is that number in excess of the requirements of the people?—My opinion regarding these ninety-five licensed houses for public entertainment, is so extreme that if I were to express it it would discount any further statement I might make. Nevertheless, I do state deliberately, from careful examination and investigation of these ninety-five places which hold a license under the guise of being required for the accommodation of the public, that I am within the mark when I say that twenty-five of them provide all the accommodation needed by the travelling public. I might even say a smaller number, and be safe.

W. W. BUCHANAN.

2698a. Have you reason to believe that a large number of these ninety-five places merely exist for the purpose of selling drink?—I have not the slightest doubt about that. A very large number of them never entertain travellers, or strangers, or citizens, for that matter, with either a meal or a bed. For years they have refused to entertain travellers. I am not speaking from guess work, we have put that to the test.

2699a. Was there a complaint made?—No, we did not press it. We did not make the investigation for the sake of entering prosecutions; we made it just to ascertain the real condition of things. We have taken the ground that the administration was responsible for the enforcement of the law, and if we give them the facts and offer to assist them, it is their duty to proceed. We have given them these facts over and over again.

2700a. Was there any action taken?—Not that I know of.

2701a. Then how is it with reference to Sunday observance, and closing at the prescribed hours on week days?—There is one good feature in regard to Sunday selling that gives us encouragement to believe that the law would be fairly enforced if there was any earnest or any energetic effort made to do so. It is very noticeable that violations become frequent and flagrant just as there is a looseness and indifference on the part of the officials; but when there is a pretty vigorous stirring up of things, and the Inspectors become a little active, it is very soon noticeable that the law is better observed by the holders of licenses. As a rule, however, I think that not more than three or four license holders of the city regularly observe the law, so far as we have made an examination.

By Mr. Clarke :

2702a. Do all break the law except three or four?—Yes, with the exception of three or four, they break it more or less frequently; some of them constantly, and every Sunday and Saturday night selling is very common.

By Judge McDonald :

2703a. Have you reason to suppose that there is much illicit selling?—No, I do not think there is. I think that in this city there is very fair freedom from that.

2704a. Then how do you find it in the shops?—Well, I am inclined to believe that some of our friends overestimate the amount of illegal selling that is done by the shops. Of course, some of the suburban shops are rather bad places; not so much by reason of the quantity that they sell, or their character. But on the whole, the shops are not so bad as some of our friends think.

2705a. I believe you take a great interest in the temperance cause?—I do.

2706a. You are what would be called an observer of matters in the community. How do you find the population of this city as a sober and law-abiding community?—I think they average up pretty well.

2707a. We understand that you have sailors visiting the city occasionally, and strangers whomight have a tendency to indulge to excess?—I consider it is a very law-abiding city, and I think the condition of the people here is better than in many other places. We have not what are called bad quarters, such as are to be found in some larger cities, and which offer a greater temptation to illicit sale.

2708a. Do you find that the state of things is getting better from year to year. Is there a better sentiment?—Unquestionably there is.

2709a. You find that the work of the churches and temperance societies are producing good fruit?—Yes, I think they do.

2710a. The tendency is upward all the time?—Without a doubt.

2711a. Now, are you favourable to the enactment of a general prohibitory law for the whole Dominion?—I am.

2712a. To prohibit the manufacture, importation and sale?—Yes.

2713a. Would you admit the making or importation of liquor for mechanical, sacramental and medicinal purposes?—I would prohibit it only as a beverage.

2714a. Would you provide that the quantity that is needed for these exceptional purposes, should be manufactured in the country or imported?—Manufactured in the country, by the Government.

2715a. In case of the passage of a prohibitory law such as you speak of, would you deem it right that brewers and distillers should be remunerated for their loss of plant and machinery that would be rendered useless?—I do not know that I would like to give a hard and fast answer to that question. In a general way, I would say that they are not entitled to compensation, but I might favour a compromise measure. Logically, I think they are not entitled to any compensation.

By Rev. Dr. McLeod :

2716a. Have you any knowledge of the difficulty that stood in the way of the enforcement of the Scott Act in the several counties of this Province?—Yes, I have a general knowledge, having studied the question somewhat. The main difficulty, I think, was one common to the administration. The Provincial Government was not responsible for the law, and was not under any obligation to public sentiment to make proper provisions for the enforcement of the law. I think that it is a vital point that the Government which enacts a law and thereby makes itself responsible for the success or failure of that law, should be invested with the enforcement of it. This is a law against which there is a large and organized opposition, and it demands the strongest possible force of administration, and such enforcement could only be given by the Government responsible for making the law. The Provincial Government did not care much about enforcing it. They were able to say: We did not pass the law, and we are not bound morally or politically to see that it is thoroughly enforced. I think there was a great deal of looseness on that account. I think, however, that any new law must inherently bring with it a serious question with regard to enforcement, for a time. You cannot expect a new law to have either the applicability or the force of one that is old and tried, one to which the people have become accustomed. More than that, the officials were not, as a rule, appointed throughout the county with a view to the enforcement of this law; they had been appointed for the enforcement of other laws with which they had become familiar, and it was not easy for them to take up the enforcement of a new law.

2717a. Do you know whether there was any difficulty such as we have heard of in the east, growing out of appeals from convictions which caused delays and troubles of that kind?—Yes, I think they were very discouraging both to the officials and to the friends of the law, and tended to weaken public sentiment.

2718a. What do you think were the chief causes which brought about repeal?—Well, I have reached a conclusion that has seemed satisfactory to myself, and I believe that the apparent revolution which came over the people of Ontario with respect to the Scott Act, was due to the serious difficulties of enforcement, and their effect upon the political parties of the country. For example, the friends of the Government, we will say, found serious fault with the Government because they did not enforce the law rigidly, and threatened to break over the traces, and in some cases did, because of their dissatisfaction. On the contrary, those who desired to break the law were, we will suppose, friends of the same party, and they exerted their influence in the opposite direction. Finally the party managers said: This thing is becoming a nuisance, it is a troublesome question, it divides our parties cross-wise. We have not any political party that is made up entirely of friends or opponents of the Act; and I believe there was a general but tacit understanding in many places amongst the political managers of both parties, that the thing had better be killed.

2719a. It bothered them, did it?—Very seriously. The experience of the Scott Act made a great many people independent, and had a loosening effect upon party affiliations, and in some particular counties, threw the old parties into great confusion.

2720a. You do not understand, then, that the repeal of the law signified the disgust of the people with the prohibition of the liquor traffic?—I think without question that to a great extent the people were dissatisfied with the enforcement. In voting it out the people expressed their dissatisfaction with the enforcement of the Scott Act, to a large extent, and expressed their desire for a further restriction of the liquor traffic.

By Mr. Clarke :

2721a. Did they not have, practically, the enforcement in their own hands?—No.
W. W. BUCHANAN.

2722a. Could not the municipalities appoint officers to aid the Inspectors and constables?—No, I do not think that under our system of Government it is the people who enforce the law. They leave that to the administration who are directly responsible to the people. But the people are responsible for the making of the law.

2723a. The municipalities put this law into operation by special vote, that is taken as an indication of the temperance sentiment. If there had been an honest and sincere desire to enforce that law, some steps would have been taken to provide additional funds?—Unfortunately the vote was taken entirely separate from the election of municipal officers or members of parliament; and the people were led to believe that they could more easily get local prohibition by so disassociating it, and the result was that in the same township, perhaps, a large majority would be given for the Scott Act, and men would be elected to office who were not in sympathy with the Scott Act.

2724a. Was that a common state of affairs?—It was, because that is one of the points upon which temperance men were not educated; to see that it was absolutely necessary, after having the law on the statute-book, to look after the proper conditions of its administration.

By Judge McDonald :

2725a. We have found in one county that there are still \$3,000 in the treasury derived from Scott Act fines; and in another town there are \$6,000 that were never used for the enforcement of the Act?—Yes, the municipal officers were not favourable to using it.

By Rev. Dr. McLeod :

2726a. I suppose Municipal Councillors are often elected on other issues?—Exactly They were not elected on that issue.

By Mr. Clarke :

2727a. They thought the other issues were more important than the Scott Act—is that it?—No. At that particular time they were taught by the public men of this country to believe that the people could settle the liquor question apart from their representatives, and on that line, in my opinion, it is impossible to secure the administration of the law. I look upon the administration of a law as of greater importance than the law itself, and I think it would be a misfortune to have a law unless the conditions were favourable to its proper administration.

By Rev. Dr. McLeod :

2728a. We are told that in Halton and other counties, political influences entered into the matter of the repeal. Does political influence have anything to do with the failure to enforce the license law here?—It is my opinion that it does.

2729a. Upon what do you base that opinion?—Observation.

2730a. In what way does political influence have an effect? Does it make it easy for unqualified men to get licenses?—Well, in the first place, men in the liquor business are apparently very generous in putting up funds for political purposes, and doing work for political parties. Whether they do it because they desire to have a license, of course may be for others to judge; but it is a fact that they are very generous in this way, and I suppose the politicians feel that they ought to make some return to them for the work they do for the party.

2731a. You think, then, that political influence sometimes steps in between a man and the penalty he ought to receive for violation? For instance, if he violates the Act three times, his license should be revoked?—They never violate it three times here they are all first offences. I do not think the authorities here ever discovered that there are any second or third offences.

2732a. You mean to say there are never any charges laid for second or third offences?—I think there has been in one case. They do not want to be hard on those who put up money for elections.

2733a. Is that where political influence comes in?—That is one way. I sincerely believe that men are really granted immunity from prosecution because of their services to the party, and get a license for it, too.

2734a. Do you find that the liquor trade has considerable political influence?—I think that under the license system it has grown to be a very powerful political influence.

2735a. Speaking about the park, is there more than one park in this vicinity?—Dundurn Park is within the city limits, and just outside the corporation we have two or three others. They are all very bad drinking places.

By Mr. Clarke :

2736a. What kind of license do they receive?—I think they have a wine and beer license. Possibly the other places may have a tavern license where people go from the city to drink. There is a great deal of drinking done there.

By Rev. Dr. McLeod :

2737a. From a financial point of view, do you think that the national prohibition of the liquor traffic is desirable?—I think so.

2738a. How are you going to meet the deficits in the revenue?—The immediate disturbance is a matter, I fancy, for administrative experts to settle. I think the immediate results would require considerable expert ability to meet. Ultimately I believe there will be no loss to the Government, as by protecting both the material and moral interests of the people, I think there would be a gain. We are paying now a large revenue to the Government upon the clothes we wear and some of the food we eat, and I am certain that the money spent for drink would be expended on these other duty-paying articles with very much better results to the revenue. I think ultimately the revenue would be greater than it is at present from the liquor traffic.

2739a. Do you favour national prohibition because you have observed the injurious effect of the drink traffic upon the industrial interests of the country, and upon the moral and social conditions of the people?—Unquestionably. I think the material interests of the Dominion demand the prohibition of the liquor traffic, altogether aside from the moral interests.

2740a. Do you think it would be profitable, as a business undertaking?—Greatly to the interests of the people.

By Mr. Clarke :

2741a. What do you mean by national prohibition?—Prohibition for the nation, of the manufacture, importation and sale of strong drink as a beverage.

2742a. Could you direct us to some country where there is a law of that kind in force, where we could obtain statistics?—I do not know that there is a national law. There are the States of Maine and Kansas.

2743a. Under national prohibition, would you permit citizens of this country to bring in liquor for their personal use?—I think prohibition of the importation would cover that.

2744a. Do you know of any country in the world where importation for private, use is prohibited?—I do not know that I can name a place at this moment. However I think that is not a serious objection to the advocacy of a reform that can be demonstrated as sound and logical.

2745a. But if we had the experience of some country that had a law of that kind on the statute books, to guide us, it might be of advantage to us. You said there was a good deal of politics mixed up in this business; are the License Commissioners political partisans?—I think so.

2746a. Do you believe that they give out these licenses as a reward for political services rendered?—I am persuaded that they do.

2747a. Have any representations been made to the Government regarding the issue of beer licenses to these parks, outside and inside the city?—There have been, on a number of occasions, statements made to the Government. About five months ago, a very full bill of particulars with regard to the serious non-observance and maladministration

W. W. BUCHANAN.

of the law here, was laid before the Department of the Provincial Treasurer. An investigation is talked of to ascertain the truth, I suppose, of these statements. We have a race track near the city, and although it is outside the limits, still our city seems to be under some obligation to provide for the maintenance of peace and order there when we have races. The citizens who foot the bills for the police, have to foot the bills for maintaining peace and order on the race track. We send a large detachment of policemen from the city on those racing days, and our officials are on hand there—I do not know whether they preserve order or not, but a great many of them are there. A great many persons sell beer and strong drink freely there when these races take place.

2748a. Without a license?—The law, as I understand it, provides for no such thing as a license for such a place.

2749a. The persons who sell are not license holders?—The company who own the track built this bar clearly for the purpose of selling strong drink, and they lease it for a large consideration to men who are license holders in the city, who purchase this privilege and sell openly, three days at a time, and sell to the men who are charged with the responsibility of enforcing the law, as well as to the public.

2750a. Are they brought before the court for this action?—We have not heard of any such cases yet.

By Judge McDonald :

2751a. This contingency has sometimes been presented to us : In the case of national prohibition, with three or four Provinces strongly in favour of it, and one or two opposed, whether there would not be a difficulty created in the administration of the law, whether it might be well administered in some places and not in others?—I do not think there could be an adequate settlement of this question upon anything short of a national basis. There would be serious difficulty with importations. The whole question lies with the Federal authorities, I take it.

2752a. But supposing it was carried for the Dominion, with some Provinces favourable to it and other Provinces unfavourable, though all under the law. Would there not be a weakness? I think Sir Leonard Tilley first called our attention to that difficulty?—There are difficulties with regard to the enforcement of all laws in that same respect. Not long ago a man committed a murder in the county of Compton, Province of Quebec. The people of that county were decidedly opposed to his arrest and conviction, and the Provincial authorities had to send a strong posse of police from the city of Montreal to put down the public sentiment of that county.

2753a. You would hope that the strength of the Government as a whole would be sufficient to cope with the difficulties?—Yes, I think so.

By Rev. Dr. McLeod :

2754a. The question has been asked of several gentlemen to-day, and I will ask you, whether you are able to say that any considerable number of licenses in this city are practically controlled by some other person than the nominal licensees?—I am in a position to say that is a fact, a very large number. While I am not prepared to say it is a fact to-day, I believe it to be. I am prepared to say that within fifteen months when I caused one of my reporters to search the Registry Office, one gentleman in this city then had mortgages on about sixty of the liquor selling places in this city, and had private agreement with people by which he could turn them out at any time on a day's notice. That gentleman was a prominent brewer of this city, and a very active partisan with the dominant party of this Province. I believe that, within the meaning of the Act, these licensees were not the true owners in any of these cases. We find on looking up the records, that men are turned out and the licenses are transferred to somebody else, without any doubt, at the instance of the true owner of the business. We also noticed that those houses, almost without exception, were houses that were never of any service to the public as places of accommodation, and were mere tipling places, and were open, I should say, without any question, as mere agencies of this manufacturer.

2755a. Are these amongst the places that are the most persistent in violating the law?—Unquestionably; and even if a man does break the law and gets so bad that

public opinion will not stand his getting a license any longer, it makes no difference. The effort to secure his removal is very discouraging, in the fact that another man steps in and continues the same kind of business.

2756a. One man goes out and another comes in, and the same proprietor supplies the beer?—I believe so.

By Mr. Clarke :

2757a. Is it lawful for a person to have more than one license in a municipality?—It is illegal under the statute.

2758a. You understand that practically one person has control of several?—Yes, I believe that to be a fact.

The Commission adjourned.

HAMILTON, October 7th, 1893.

The Royal Commission on the Liquor Traffic met in the City Hall, at ten o'clock a.m.

Present :

JUDGE McDONALD. MR. E. F. CLARKE. REV. DR. McLEOD.

JOHN W. MURTON, of Hamilton, coal dealer, on being duly sworn, deposed as follows:—

By Judge McDonald :

2759a. Have you at any time held a position in connection with the administration of the license law?—I was on the License Board for thirteen or fourteen years. I ceased to be so three years ago.

2760a. How long have you lived in Hamilton?—About fifty years, nearly all my life.

2761a. You are in business here now?—Yes. My business is coal warehousing and wharfinger.

2762a. What position did you hold on the Board?—I was chairman of the Board for twelve years.

2763a. I suppose while you were on the Board, there were changes made from time to time in the license law?—Yes.

2764a. With a view to making it more efficient?—Yes, the changes aimed at making it more stringent.

2765a. Do you find that a great proportion of the license law is prohibitory in its nature?—Yes. There is a provision for license, and then come a great many prohibitory provisions.

2766a. How many Inspectors had you in your time?—We had one, Mr. McKenzie. There was an assistant, Mr. Walter, appointed about the time I left.

2767a. Were you here when Mr. Buchanan gave his evidence yesterday?—I was.

2768a. Did the License Commissioners get their information from the Inspector?—From the Inspector, and from outside information.

2769a. The licenses, we understand, are granted about the end of April and come into effect the 1st of May?—Yes.

2770a. Then for some weeks previous to that time, is the Board engaged in hearing applications?—Yes.

2771a. Are these applications advertised?—Yes, all new applications are advertised. I do not think old ones are advertised, but notice is given by the Board. The meetings of the Board are open.

2772a. After the applications have been made, the Board has to consider each case?—Each case.

2773a. In each case there is a report from the Inspector?—Yes.

2774a. Is there opposition made to some of these applications?—Sometimes.

2775a. It is the duty of the Board to consider these?—Decidedly.

2776a. Then after having weighed all these matters, if found satisfactory, the license is granted?—Yes, if not refused.

2777a. Did you find you had applications in excess of the number?—Yes, largely sometimes.

2778a. In that case you had to make a selection between those to whom the license should be given?—Yes.

2779a. Did you have many cases to investigate where the people complained that houses were not kept satisfactorily?—There were a few. We took the general record of the year, the convictions for violations of the law.

2780a. Were the complaints made to you as Commissioners individually, or did they come in officially?—Oh yes, the temperance organizations here kept at us all the time,

2781a. In that case you called upon them to furnish proof?—Yes, often.

2782a. Did you find that always forthcoming?—When I was Commissioner, our experience was that we received very little assistance from the temperance organization. In fact, nearly all the prosecutions failed which were undertaken on the evidence they were to produce. It is a notable fact that they seldom or never produced any evidence that would enable us to convict persons whom they charged, and that led to costs on the part of the Government, which the Government had to pay.

2783a. While you were connected with the Board, was there an honest effort to carry out the law efficiently in all its provisions?—Yes, decidedly. The record will show that there has been a great decrease in the number of licenses. In fact, when I went upon the Board, which was about the time the Crooks Act came into force, there were a great number of unlicensed places, groggeries and shebeens of every description. I do not know how it is to-day, but before I left the Board we were able to boast that you could not find one unlicensed grogery in the city. I believe they were reduced to a mere fraction of their former number, if there were any at all.

2784a. According to your experience, do you think it would be better that the Municipal Council should have charge of this matter, or the Board of Commissioners?—Decidedly the Board of Commissioners. I heard you ask the question yesterday whether the Commissioners were political. Of course, they are political, and they are chosen from the party in power. But I do not believe the public will charge the Commissioners here with violating the rules of honour with respect to the distribution of licenses.

2785a. Did you find that it is an exceedingly difficult position to fill?—Indeed it is a most thankless position. The Board is not paid a cent.

2786a. I suppose it may be said that there is no praise for them, or very little, and plenty of blame?—It is a most uncomfortable office.

2787a. Have you ever considered whether it would be an improvement to have the Board made up of officials, that is, that instead of being composed of gentlemen selected from the community as you and others were, it should be made up, for instance, of the Registrar, the Sheriff and other officials of that kind?—I have sometimes thought that would be advisable. But I think the gentlemen who are now selected are generally men that are considered above making use of their position for any unworthy purpose, and have really no 'axe to grind' and no salary to receive.

2788a. Do you think it better that they should be remunerated?—I certainly do. I can see no sense or justice in taking business men from their places of business and imposing upon them a very onerous and disagreeable duty. I think they ought to be paid as well as bank managers and directors of institutions.

2789a. Paid by the Government or municipality?—By the Government.

2790a. I understand your view would be to keep the matter as far as possible from any connection with municipal bodies?—Decidedly. I believe if that question were put to the people, they would agree that they should be paid.

2791a. Our attention has been called to the fact that in this city there are ninety-five licensed taverns of which ten do not require to have tavern accommodation, and of those who do have it, in many cases, it is merely nominal. Do you think it would be better to dispense with that provision of the law allowing a license to those which are not equipped for tavern accommodation?—I do not know. The major part of these licenses are given to places which are rather places for recreation. While the law requires them to have a certain number of bed-rooms and appointments to entitle them to be considered hotels, yet there are undoubtedly a great many of them that are not required to give accommodation of that kind; and they do a business almost exclusively in liquor. But I think the places in Hamilton are very respectable.

2792a. Those that are commonly called saloons?—I do not believe, what I heard stated here yesterday that any of the hotel-keepers have refused to accommodate guests. The first instance of that kind coming before the Commissioners would cut the head off the man, I am sure of that.

JOHN W. MURRON.

2793a. From your knowledge of the city, do you think that ninety-five such places are needed for purposes of recreation?—Well, when we have attempted to keep certain localities free from these places at the request of the residents of that locality, these same people would say to us: Why do you compel us to go away down to the centre of the city for liquor? You ought to distribute them more equally in the city.

2794a. Do you find that people in what may be called the residential sections of the city, ask that you should leave these places in their midst?—No, they wanted to get them removed from the respectable residential quarters, perhaps not from the poorer ones. In looking back at the record of this town when I was Commissioner, I found that when we were only about thirteen thousand inhabitants, we had one hundred and thirty-seven licensed places, under the government of the municipality. Now in a city of fifty-two thousand, we have somewhere about ninety hotels and thirty shops.

2795a. Have you reason to believe that when you were Commissioner the shop-keepers observed the terms of their license?—Yes, very generally. We used to boast of the character of the shops, particularly. Once or twice the Commissioners undertook a personal investigation at our own expense. We visited every place, and we were greatly surprised to find the shops of such a high character. There were some exceptions that were weeded out; one or two that were lopped off.

2796a. Were they selling by the glass?—Yes, by the glass, and it is proposed now to reduce them down to a mere fraction of the present number.

2797a. Do you approve of the change in the law that prevents the sale of liquor in connection with other goods?—Decidedly, and I do not think it is as rigid as it should be. I think that every shop should sell exclusively either liquor or groceries.

2798a. That is, you would not allow the two establishments next door to each other?—I do not approve of that. I think the law could be improved in that respect.

2799a. There is a great temptation to evade that law?—There is no doubt of it.

2800a. I think the Inspector said yesterday that in some cases there was a yard in the rear, common to the grocery and to the liquor shop, with an entrance to each. If there was a connection between the two, it would forfeit the license?—I do not know about that. There are very few shop licenses, and the major part of them are held by highly respectable grocers, men who have been in the business for many years, and as they are not debarred from having liquors in connection, or next door, we will say, the Commissioners thought it was not worth while to compel them to move out of the building they were in, and they were allowed to divide up their premises.

By Rev. Dr. McLeod:

2801a. The Commissioners get no fees, even?—Nothing at all. The County Commissioners are allowed mileage, I think, that is all.

2802a. Does it take considerable time of the Commissioners in the course of the year?—Indeed it does.

2803a. It is purely an honorary position?—Purely honorary. It used to take up a great deal of my time and caused me a great deal of annoyance.

2804a. When applications are made for licenses, have the Commissioners considerable discretion in granting them, or must they do so and so?—No, it is entirely in their discretion as to how many they shall grant. They can reduce the number to one, but they cannot go beyond the number fixed by the limit of population.

2805a. You always had more applications than you could grant?—A great many more.

2806a. When you had too many applications, how did you discriminate?—We first took the old licenses and continued the license to them; we gave them the preference. If there were some of them deprived of their license on account of violations of the law, we made the best selection we could among the new applicants to replace them.

2807a. Were licenses frequently revoked?—Yes, it was very seldom that we did not revoke some licenses at the end of the year, but always for cause.

2808a. For disregarding the provisions of the law?—I am free to say that we never cut a man off from any other cause than violation of the law.

2809a. Were they always revoked when there was cause? We have heard in some places that they were not?—It just depends. I do not think they were always revoked.

What you might term a cause, would be one, two or three violations of the law. We were not restricted, we had to use our own judgment. We might cut off a license, and we have often done so, where there was no conviction against the holder at all, because we were personally convinced that he was violating the law and was not a proper person to hold a license. We were not obliged to deprive because of convictions, nor were we obliged to retain when there were no convictions. We used our own discretion.

2810a. But you think that the Commissioners always revoke licenses when there is cause?—I think so.

2811a. We have heard in some places that the granting of a license does not turn upon cause?—I heard that said here yesterday by a professional witness on behalf of the temperance organizations, and if I had been sitting alongside the witness, I might have controverted something that he said.

2812a. Do you suppose there are ever professional witnesses on the other side?—I do not know. I know I am not a professional witness.

2813a. It has been said that political influence enters into this matter, and we are anxious to find out how far that is true?—I think that if you will take the list of licensees in this city and ascertain their political complexion, you will find that the party in power has very much less in number than those who are opposed to it.

2814a. When applications are made for licenses, it is permissible for persons opposed to a particular place, to petition against it?—Yes.

2815a. Do the Commissioners frequently have such petitions?—Yes.

2816a. Majority petitions?—Yes.

2817a. Were they regarded or disregarded?—Oh, we had to regard them.

2818a. In the exercise of your discretion, did you ever issue a license where there was a majority petition of the people in that district against it?—I do not think we could do so under the law. I am sure we never did issue a license where a majority of the people were against it.

2819a. You spoke about saloon licenses in the residential portions of the city, and you say they are not granted in respectable residential portions?—There are no saloons. The ten saloons that are allowed by the Act, I think, are all in the centre of the city among business people. There are some taverns in the residential wards, I think not more than one, and in one ward there are none.

2820a. If an application were made for a license in what you call the respectable residential section of the city, would the Commissioners be likely to grant it?—I do not think so. We very often refused.

2821a. If an application were made for a license in a residential portion of the city where it was not required, would the Commissioners grant the license?—I do not know whether they would or not. It just depends upon whether there was a business portion of the city mixed up with it.

2822a. Are there any licenses in the purely residential portions of the city?—I do not think there are. There was one in one of the wards, but that was removed.

2823a. We have heard of a case like this: An application is made for a license. A petition was being prepared bearing a majority of the names of persons interested in that section, and the Commissioners were asked when it should be put in. They were told it should be in at a given date, and it was put in at that time, but they were told that the petition was too late and the license was already granted, notwithstanding that the petition bore a majority of the names of the ratepayers. Do you know of any case like that?—I do not know of any such case. I do not think you will find the Commissioners ever desirous of issuing a license against public sentiment.

2824a. We have heard of another case like that. A man was repeatedly guilty of violating the provisions of the law, and the Commissioners proposed to revoke the license. Petitions were presented, originating in political influence and sympathy, asking them not to be too hard upon the man, and the Commissioners did not revoke the license. Do you know cases like that?—I do not. I do not think that our Board can be accused of that.

2825a. Now, as a business man, does the establishment of a saloon in the vicinity of your property increase or decrease the value of that property?—I do not know. If it were a low saloon, it would decrease it, decidedly.

JOHN W. MURTON.

2826a. A saloon of any kind?—I do not think it would decrease or increase it.

2827a. For instance, you have an office down town with a saloon on either side, will that fact increase or decrease the value of that property?—I do not think it will increase it; and I do not think, if it were respectably kept, it would decrease it. I think they are looked upon as business establishments, that is all. I think in residential sections of the city a saloon would decrease the value of adjoining properties.

2828a. Why?—Well, for the liability there may be to disturbance.

2829a. I suppose a grocery would decrease the value of property in a residential section?—Yes, I think so.

2830a. Which would decrease it more, the grocery or the saloon?—I think the saloon.

2831a. Why?—Of course, where liquor is sold, there is a liability to people disgracing themselves, and that certainly would render any neighbourhood less desirable to live in.

2832a. Are saloons the centre of possible disturbance, the resort of certain undesirable characters?—They may be.

By Judge McDonald :

2833a. Would you favour the passing of a general prohibitory law preventing the manufacture, importation and sale of intoxicating liquor as a beverage?—No, I do not believe any prohibitory Act would be operative unless it were made to extend all through America. It would be just as bad as having the Scott Act in one county and free trade in liquor in the adjoining county.

2834a. Have you had any experience of the working of the Scott Act?—I have seen its results in Halton.

2835a. How did you find its results?—In the town of Milton they were disastrous. People were going all through the markets with bottles on them and selling from flasks. There was more drunkenness on market days at Milton when the Scott Act was in force, than before or since—I do not mean to say because of that Act, but in spite of it.

2836a. We had the evidence of a gentleman, yesterday, who lived in Milton, and who told us of an instance of a man who travelled through the country for the purpose of purchasing liquor—I think it was on a bet—and he could not obtain any. But in the end he got a doctor's order and bought some at a druggist's. That does not seem to confirm your view?—I am very well acquainted with the Chief Constable of Milton. He is a man who buys a lot of coal from me. During the Scott Act period I was very often at Milton and he used to tell me the disastrous conditions of things there then. He was the Chief Constable of the town, and it was his business to arrest persons for drunkenness, and he told me that the amount of illicit selling and drunkenness there was in that town was terrible. He told me that when there were three licensed houses, the state of the community was far better.

2837a. Do you remember the name?—Mr. Bradley.

2838a. In case such a law was passed, prohibiting the manufacture, sale and importation of liquor, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—Certainly, they are operating under the law as legitimate dealers.

By Rev. Dr. McLeod :

2839a. Why would you compensate these men?—They have been induced under the operation of the law, to put their money into the business, invest it in plant. If, by Act of Parliament, you reduced the value of their own property, or in fact, ruined these men, perhaps, they ought to be compensated.

2840a. Brewers and distillers are licensed the same as tavern keepers, and are they not aware that they are liable to have their license revoked at the end of each year?—Yes, but if they do not violate the law, their license is always renewed and they are under no risk.

2841a. For instance, if a change in the tariff was of such a nature as to drive you out of your business, have you a claim upon the Government for compensation for your

losses?—I have always advocated that whenever a change in the customs duties depreciates the value of goods in stock, the importer should certainly be remunerated.

2842a. But they do not do it?—It is robbery, that is all. I would make the same rule apply all round.

JAMES OGILVIE, of Hamilton, Governor of the Jail, on being duly sworn, deposed as follows :—

By Judge McDonald :

2843a. How long have you held your present position?—Eight years.

2844a. How long have you resided in Hamilton?—Almost constantly since 1886. I was on the railway for a number of years.

2845a. While you have been Governor, have you noticed whether there has been a diminution in the number of prisoners committed to jail?—It is much less these last few years. I find the number decreasing.

2846a. Do you find that decrease to apply to people who are committed for drunkenness and disorderly conduct?—The decrease applies to that class as well as to others.

2847a. How many have you at present?—There were twenty-seven this morning.

2848a. What is the largest number you have had at any time since you have been jailor?—Sixty-six.

2849a. Do you make inquiry from the prisoners who are committed, as to their previous conduct?—Yes.

2850a. Taking the prisoners who are committed to jail as a whole, have you found that the habits of a large number of them have been intemperate?—Yes.

2851a. Taking those who are committed for crimes such as larceny, burglary, forgery and those things, what proportion do you find?—We do not get very many burglars who are intemperate, as that crime requires a sharp man, but in petty larceny, I think nearly all are induced by drinking. A great deal of petty larceny is committed by men under the influence of liquor who steal something that they may pawn it and buy more liquor.

2852a. But in case of the higher and more serious crimes, how do you find the proportion?—A man has got to be in his right mind when he commits the more serious crimes. We do not find these so much connected with intemperance.

2853a. Do you find that those prisoners call themselves temperate in the answers they give to you?—Not strictly temperate, not total abstainers. At the same time they are not what you may call drunkards.

2854a. Do you have women committed to jail?—Quite a number.

2855a. Are they generally of intemperate habits?—More so than the men.

2856a. Do you have many drunkards committed for short terms for the offence of drunkenness?—A good many.

2857a. Do you find such people are benefited by that mode of punishment?—I do not think it helps them.

2858a. They are sobered up for the time being?—Yes, they are given a chance to sober up, and start again.

2859a. Do you find some people coming back all the time?—Yes.

2860a. We have been told in some places that such people form, as it were, a procession between the Police Court and the jail, and back again?—Some of them do.

2861a. In the case of such people would you advocate confinement for a longer term in a place intended expressly for dealing with them?—Yes. I think they should have treatment.

2862a. Do you think that with some of these people alcoholism becomes a disease, and that treatment for a longer period in a place specially provided for that purpose, might lead to a cure?—I think so.

JOHN W. MURTON.

2863a. Have you noticed the effects upon prisoners that are brought in, of liquor that is supposed to have been adulterated?—I do not know. Sometimes we have more cases of delirium tremens than at others.

2864a. I suppose the officers who make the arrest see more of that than you do?—Yes. By the time they reach the jail they have begun to sober up.

2865a. Have you yourself seen the operations of a prohibitory law anywhere?—No.

2866a. Do you advocate the passing of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of intoxicating liquor?—Yes, I think it would be beneficial.

2867a. Do you think it could be effectively enforced?—I think so, the same as any other.

2868a. In such case would you admit the making or importation of liquor for mechanical, sacramental and medicinal purposes?—Well, I am not a mechanic, I do not know whether they require to use it. It may be needed as a medicine the same as any other drug, but I do not see any need for it for sacramental purposes. We can get unfermented wine for that. I do not think it should be admitted for that purpose.

2869a. In case of the enactment of such a law, which authority do you think should be intrusted with its enforcement, the Dominion, the Provincial, or the municipal?—I think the highest authority, whichever that is, should take charge.

2870a. You are aware that some laws are passed now which are looked after by the municipalities?—I do not see why a prohibitory law should not be enforced like any other law, by the power that makes it.

2871a. In case of the enactment of such a law, would you consider it right that brewers and distillers should be remunerated for their plant and machinery which would be rendered useless?—I do not think so. I was in business myself at one time, and through a change in the tariff, lost every thing I had, because I was a small dealer and was unable to compete with large dealers, and they did not remunerate me. I was in the mercantile business, in fine arts.

2871½a. Have you with you the jail statistics?—I have for the year just closed, ending 30th September, 1893. The total number of commitments was 594, being 498 males, and 96 females. I find that of the total, 192 males and 44 females were committed for more than a third time, making 236 prisoners who had been committed for more than a third time.

2872a. Of that 236, would any large proportion be persons who were committed for drunkenness?—Nearly all, because those are the classes committed for short terms, ten or fifteen days.

By Mr. Clarke :

2873a. You do not approve of that method of dealing with these people?—Not after they become chronic drunkards, because it only sobers them up and gives them a fresh start.

2874a. You would favour longer terms and special treatment?—Yes. We had one woman, in a few weeks ago who had been there three times. She was let out, and on the next day she came back again.

By Rev. Dr. McLeod :

2875a. Do you have a great many total abstainers among those people committed to your charge?—Not a great many.

2876a. Do you have many juvenile criminals?—Quite a number. 68 boys last year, and five girls, a great many of them for petty larcenies.

2877a. Boys of what age?—Between eight and sixteen years.

2878a. I suppose some of them were almost habitual thieves?—Yes.

2879a. Are you able to say whether their manner of living and their criminal tendencies, are due in any degree to neglect of them by their parents or guardians on account of drink?—I think in the majority of cases, it is the drink.

2880a. Do you find that those boys, when they get to be twelve or fifteen years of age, begin to tipple a little themselves?—They admit that they do.

2881a. Do they resort to these places where drinking men go?—I do not know about that.

2882a. If a burglary were committed here, where do you suppose the police would begin to search for him? Would they go around to some of the drinking places?—I never worked on the police force, I could not speak positively.

2883a. To what do you attribute the decrease in the number of prisoners committed to jail?—I suppose there are several causes. I think the people are better. A great effort is being made to elevate men, by different societies and institutions, which have a good effect. The moral tone is improving.

2884a. Do you think the police are quite as vigilant as when there were more arrests?—I think so.

2885a. Do you think that the decrease in the number of licensed places in the city tends to reduce the number of persons arrested for drunkenness?—I think it has an effect.

2886a. There are fewer places for the sale of drink?—Fewer places, and fewer drunken people.

2887a. You think that may be one cause why there is a less number in jail?—Yes.

By Judge McDonald :

2888a. Have you official means of knowing where the police are likely to go in searching for criminals?—I do not pretend to know, that is not part of my business.

HUGH MCKINNON, of Hamilton, Chief of Police, recalled.

By Rev. Dr. McLeod :

2889a. Suppose a burglary is committed in some other city, and word is sent to you that the burglar has gone to Hamilton, and asking you to search for him, giving a description, where would you begin to look for him?—We make a general look in the first place.

2890a. Would you first go to some of these drinking resorts?—We would go through the hotels.

By Mr. Clarke :

2891a. Why would you go through the hotels?—As a probable place where a stranger would go.

2892a. Because the hotels have bars?—Not for that reason, but because it is a stopping place for ordinary travel.

By Rev. Dr. McLeod :

2893a. You think men guilty of these crimes do not associate with drinking people or resort to drinking places?—No, that is not just the view. When a crime is committed of which we are notified, if there is any probability of the criminal coming here, we go through the hotels, railway depots, boarding houses and the streets. We do not go to hotels merely because people can get drink there. Another thing, it depends very largely upon the character of the criminal for whom we are looking. If he is a man who is not likely to register at the Royal Hotel, we will go to other places, different classes of boarding houses, and on the street.

2894a. What I want to find out is this : Whether the criminal classes do not, as a rule, go to drinking resorts, whether the police do not, sooner or later, look for criminal classes in drinking resorts where men of that class are supposed to meet?—They are among the places where we always look for criminals. Our police and detectives always look through all these places that are frequented by strangers.

2895a. I want to know if it be a fact that drinking places—I do not say all of them in the same degree—are not the resorts of the criminal classes?—A certain class of criminals do resort to drinking places.

JAMES OGILVIE.

2896a. Speaking generally, are drinking places the resort of criminal classes?—Drinking places are more the resort of criminal classes than they are of respectable classes.

2897a. It has been attempted to be shown that burglars, forgers, and criminals of that class, who have to have clear heads and steady hands when they commit their crime, are not drinking men. Now I want to find out whether it is a fact that these men do resort, as a rule, to these drinking places, that their associations are in these drinking places?—No, I do not think that follows.

2898a. Suppose you went over to London or Toronto to look for a criminal, where would you go to find him?—If he was a transient man, we would look for him in places where he could locate like any other traveller. He has got to find some place, and he will put up at a hotel as the most convenient place, or he will look for some private boarding house and locate there.

2899a. But if, after a few weeks, he thought you were off his scent, and you were still on the lookout, where would you be likely to find him?—In the same way.

By Mr. Clarke :

2900a. If you went to Buffalo, Detroit or London, on official business, where would you put up, yourself?—I would put up at one of the hotels.

By Judge McDonald :

2901a. Have you any reason to suppose, from your experience as a police officer, that there is the slightest degree of partnership between men who are licensed to sell liquor, and the criminal classes?—Not at all.

By Rev. Dr. McLeod :

2902a. Have you any reason to suppose that there is no relation whatever between the drink trade and the crimes that are committed?—I know quite well that many crimes are committed through the influence of liquor.

2903a. Do you regard the drink trade as a crime producer?—Yes, I do. I may say that in this very city we have arrested criminals in the rooms of the Young Men's Christian Association.

2904a. Do you think that is a natural resort of criminals?—I do not. But there is a case to show that they may be found anywhere. That thing has occurred in other cities than Hamilton.

2905a. Is that the rule?—How do you mean?

2906a. Is it the rule that you go to look for criminals in the rooms of Young Men's Christian Association?—It is not. There is no common rule except the general rule, that we look for them where we are most likely to find them.

W. L. CUMMER, of Hamilton, Secretary Treasurer of Grant-Lottridge Brewing Company, on being duly sworn, deposed as follows :—

By Judge McDonald :

2907a. How long have you resided in this city ?—Since 1872.

2908a. Is your business an extensive one ?—Fairly so. There are some very much larger.

2909a. Is it the largest in the city of Hamilton ?—I believe it is.

2910a. Have you any figures with you giving us your output for a number of years past ?—I have brought along the figures up to 1890. I beg to submit the following table :—

Year.	Output.	Increase over Previous year.	Decrease over Previous year.
	Barrels.	Barrels.	Barrels.
1878.....	6,540	1,879	
1879.....	8,696	2,156	
1880.....	10,513	1,817	
1881.....	13,556	3,043	
1882.....	14,409	853	
1883.....	14,252		157
1884.....	13,892		360
1885.....	14,182	290	
1886.....	16,140	1,958	
1887.....	17,260	1,120	
1888.....	18,087	827	
1889.....	19,745	1,658	
1890.....	20,304	559	

2911a. How many gallons to a barrel ?—Twenty-five imperial gallons.

2912a. How do you account for the increase in 1886 over the previous year ?—It would be partially accounted for in the repeal of the Scott Act in a great many counties.

2913a. But that was in 1889 ?—It was repealed in some of them before then. There was also an increase in the local trade in the city of Hamilton and surrounding districts, and there was an increased effort in putting new business into other fields.

2914a. There was an effort made to push your business in the cities ?—Yes.

2915a. The business is still being carried on in the city, and you are still endeavouring to increase it through the country at large ?—Yes.

2916a. Do you send any to a great distance ?—Our business is mostly confined to Ontario, but we do send to other places. We have sent to Winnipeg.

2917a. Do you send all over Ontario ?—Pretty generally through Ontario.

2918a. During the time the Scott Act was in force in so many counties in Ontario, did any part of your output go into these counties ?—Very little. Of course we were prevented from canvassing, and what business we did do was done in the way of orders that were sent in to us. We did very little in Scott Act counties.

2919a. Did you ever meet with difficulty in people refusing to pay that lived in Scott Act counties ?—No, I cannot say that we did, because we were very particular not to supply unless we had orders given in the regular way.

2920a. So that you were protected by orders, or else by having the money with the order ?—Yes. We did not try to do business in Scott Act counties.

W. L. CUMMER.

By Rev. Dr. McLeod :

2921a. There was an increase in 1886 and 1887, and there has been a steady increase since. Do you think that is in part attributable to the repeal of the Scott Act in some counties?—Wherever the Scott Act was repealed, of course we would then sell more there ; we would look to that field again.

2922a. We have had it stated in some places by brewers, that as soon as the Scott Act came into operation their sales increased, and kept on increasing from year to year, and that when they had succeeded in bringing about a repeal of the Scott Act, then their sales decreased. But it seems to have been the reverse in your case?—It is not so in our case.

2923a. Are there other brewers in this city?—Two others. They only manufacture lager beer, and their business is not as extensive as ours. We make ale, porter and lager.

2924a. Would the two together have an output equal to yours?—I am not prepared to say. I should hardly think so.

2925a. Your sales are all over the Province?—More or less.

2926a. Can you answer me this question—because this matter has already come up—whether your brewing company practically own any number of the licensed places in the city of Hamilton?—Yes, I think I can answer that question, and in doing so I would give a flat denial to the assertion that I have heard made here and in the temperance paper published here. I think, if the statistics that have been gathered by those people are as wide of the truth as those put forth in this case, they are very unreliable.

2927a. The statement was made here yesterday, and similar statements have been made more or less directly before, that a certain brewer here—or brewery—and, by the way, I think that your brewery became a brewing company some time ago?—Yes.

2928a. It was stated that at least eighteen months ago some 60 of the licenses in the city of Hamilton were practically owned by that brewer ; do you know about that?—In the first place, I can conceive of no practical ownership at all, to no greater extent than ownership would be implied were I to purchase a farm and give a mortgage, say for 50 per cent of the purchase money, and that the mortgagee might be considered the practical owner of that farm.

2929a. You think that was the way in which it was. The brewer supplied the goods and took a mortgage on them and on the fixtures?—A probable purchaser of a hotel business would go to a brewer—that kind of business is not sought, and has never been sought—but they would go to a brewer, the same as any other person would go to a loan company, and they would state their financial position, what resources they had, and they would make application for assistance in their business. If the brewer thought the stand was a good one, and that he would be safe in taking an interest in that stand to the extent of, say 50 per cent of the purchase money, why, he would do so, and secure himself by taking a mortgage on the contents and effects, and any other collaterals that might be available.

2930a. And to that extent, and to that extent only, the brewer might be considered as the owner of that stand?—I do not see how he could be considered so to any greater extent than I have mentioned. An assertion was made respecting the power, after a certain delay, of cancelling the lease ; well, that is correct. In case of the death of a man, or his absconding and leaving the country, or anything of that kind, of course the mortgagee would have the right to go for him in respect to those matters.

2931a. Did the brewing company, as mortgagee, have only the right of an ordinary mortgagee, or did it have other rights in the concern?—What other rights?

2932a. I am only asking if he had any other rights?—He had the rights I speak of.

2933a. Did he have the right to close it up any time?—For cause.

2934a. For what cause?—If the business was improperly conducted.

2935a. Or unprofitably conducted, is that it?—Yes, or unprofitably.

2936a. Does an ordinary mortgagee have that right?—Well, I suppose an ordinary mortgagee has the right to realise.

2937a. Whenever he chooses?—I suppose mortgages vary in terms, but usually they have the right.

2938a. Did not the mortgage of the brewing company differ from ordinary mortgages in this, that it gave the mortgagee the right, from the moment he had a claim on the place, at any time, if the place were unsatisfactorily conducted, simply to close it up?—It gave him the right, if the place were unsatisfactorily conducted, if the man violated the law or kept a disreputable place, or if he did not attend to his business, or if he became in arrears—on all those conditions, certainly he would have a right to put up the business at public auction and sell it, with the consent and concurrence of the Commissioners; to a satisfactory person; and the business would change hands, certainly.

2939a. Well, in that respect, the mortgage differed from an ordinary mortgage?—Certainly, it is different because in one case an ordinary mortgage would be upon land, and this was on personal property.

2940a. Do you know of any case in which the mortgagee, being a brewer or a brewing company, did put up an establishment for sale at auction?—Do I know of any case?

2941a. Yes?—Oh, yes.

2942a. Or did he simply say to John Smith: you get out; and to John Brown: you go in, and arrange with the Commissioners to have the license transferred to John Brown?—I do not know that any one case can be cited where a sale was made without the concurrence of the occupant, that is, where the mortgagor would not see with the mortgagee that it was best and right to have a sale made. I do not call to mind any case where a man was dispossessed against his will, where he was ejected, or anything of that sort.

2943a. Do you call to mind any case in which the mortgagee desired to realize, and the mortgagor objected, and the mortgagor's idea prevailed?—Not in our case.

2944a. The mortgagee had complete control?—I have heard of cases, but I have no recollection, where we had to take means to get a man out against his will. It was always by mutual arrangement.

By Judge McDonald:

2945a. I understand you to say that these mortgages, in so far as they differed from ordinary mortgages, only differed as the circumstances required in the particular kind of case you were dealing with; but the consent of the Commissioners being required to the transfer would form no part of the mortgage?—No, certainly not. That would be a matter that would have to be ascertained in the usual way, by application to the Commissioners.

2946a. Supposing your own business were abolished by an Act of Parliament being passed preventing the manufacture of malt liquors—would there be any loss of the capital invested?—Yes, there would be.

2947a. Would there be any machinery or plant rendered useless?—There would be very little of it that could be converted to other uses.

2948a. So it would be a material loss?—Yes.

2949a. Speaking of sales of brewers in Scott Act counties, Mr. Labatt, of Prescott, gave us evidence and produced us figures to show that during the Scott Act time his sales increased from year to year, and that after the Scott Act was repealed, they decreased. He attributed it to the fact that dealers near at hand who had previously dealt with western brewers, did not care to order in large consignments, as being in a Scott Act county, it might be liable to seizure, and so they ordered in small quantities for immediate use. I think Mr. McCarthy, of Prescott, gave similar evidence. Would it occur to you that that was a reasonable explanation of the increase?—I have heard such an explanation from other brewers. Of course, I am not speaking from personal knowledge, because I never lived in a Scott Act county; but coming in contact with people who were hotel-keepers and others, living in Scott Act counties, I have heard that the consumption was principally of spirituous liquors.

2950a. We have heard that, as they were less bulky and more easily handled?—Yes; and what malt liquors were used would be principally obtained from local concerns; so I should think that the local concerns would probably get a great deal more of the local business.

W. L. CUMMER

By Rev. Dr. McLeod :

2951a. This city is near Halton County, is it not?—Yes.

2952a. Has Halton any breweries?—Yes.

2953a. You are so near Halton that, I suppose, you could sell as easily there as you can here, so that you would not be so much affected, perhaps, as Labatt and McCarthy, and perhaps Mr. Calcutt, because you are practically in a Scott Act region?—I told you that we did not cultivate and did not do business in Scott Act counties to any extent except where orders were given here.

2954a. You did not take any orders there at all?—We did not canvass for orders.

2955a. Now about mortgages. There have been suggestions to the effect, or at any rate they might be so construed, that in addition to the mortgage there is a private agreement between the mortgagee and the mortgagor, that at short notice he will leave and consent to transfer the license to another party. Do you know anything about that?—I do not know anything about it.

2956a. Do you object to saying how many such mortgages your concern has now in Hamilton?—Well, I do not know that I ought to object at all to saying, as the amount has been fixed so very high already, that I believe there are in the neighbourhood of thirty.

2957a. Not more?—Thirty-one to be accurate. I think Mr. Buchanan and his agents might try to keep a little closer to the facts.

By Mr. Clarke :

2958a. Would not the Registry Office give the facts?—The Registry Office would not. The Registry Office would show the number of mortgages that were undischarged, but it would not show if there were changes, or if there were two or three mortgages on one place. Still, it would not be correct to say that there has been any such number as has been represented.

By Rev. Dr. McLeod :

2959a. Was he near the mark, eighteen months ago?—No, sir. It has never been anything near 60.

By Mr. Clarke :

2960a. Do you employ travellers to promote your business interests?—Yes.

2961a. These travellers visit the various towns and villages throughout the Province?—Yes.

2962a. Was it the practice of your firm, when the Scott Act became law, to continue to send those travellers into Scott Act counties?—We sent them into Scott Act counties to try and collect bills that were outstanding from the hotel keepers, but not with the object of doing business.

2963a. Do you attribute the decrease in your sales in those Scott Act counties to the fact that you did not endeavour to push your business as you did in other counties where the law was not in force?—I have said that we did not push our business in those counties.

2964a. Do you know anything of the sales made by local breweries in any of those Scott Act counties during the time the law was in force?—No.

2965a. Have you travellers now visiting Halton, Lincoln, and those counties where the Act was in force?—Yes.

2966a. Your business has increased in those counties since the repeal of the Act?—Yes.

WILLIAM H. YOUNG, of the County of Halton, broker and conveyancer, on being duly sworn, deposed as follows :—

By Judge McDonald :

2967a. How long have you resided in the County of Halton?—All my life.

2968a. What is your business occupation or calling?—I am at present engaged in brokerage and conveyancing.

2969a. Did you hold an official position at any time?—I was Police Magistrate for the County of Halton during the Scott Act regime.

2970a. During the whole time?—During all the time.

2971a. Then the Scott Act cases were tried before you?—All of them.

2972a. Would you kindly make a statement of the effect of the law upon the community?—I must say that from my knowledge, the effect of the law was beneficial to the County of Halton, that it very largely decreased the quantity of liquor used, and decreased crime. It was beneficial to business generally, and there was an increase in the value of the assessable property during the six years the Act was in force. I have not the figures here at present, but I took particular notice of the increase, because it had been argued that the Scott Act would be injurious to business. There was an increase in the assessable property in the county, I think, in each of the years, for three or four of them, at least.

2973a. Had you reason to believe that liquor was brought in for family use in the houses?—Some, yes.

2974a. Was there any drunkenness apparent to the public?—Very little.

2975a. We have had evidence from a witness that upon market days there was a great deal of drunkenness in the town of Milton?—Well, I was a great deal in Milton, my business called me there, and I tried a great many cases there, and I never saw that.

2976a. Did you find that in Scott Act cases there was difficulty in procuring evidence?—There was some difficulty.

2977a. Was there any degree of perjury?—Yes, there was.

2978a. The witnesses had great difficulty in knowing what they took and where they got it?—Yes. My experience was that most of the witnesses were adverse.

2979a. Notwithstanding any of these difficulties that may have occurred, still you believe that the Act was effectively enforced and beneficial?—I know that to be the case.

2980a. How would you account for the repeal?—Well, there are two or three reasons that account for it. One was that it got into the political arena and divided the two political parties.

2981a. It would appear to those living outside the county, that the party which espoused the cause of a law that was so beneficial, would be the successful party?—Political feeling appeared to be stronger than temperance feeling.

2982a. If the political parties were divided upon it, one party must have been in favour of it and another against it? Or do you mean to say that there was a division in both political parties on the question?—I mean to say that the two political parties at one time worked unitedly on the temperance question, but there came a time when they disagreed, and one party left the enforcement of the Act entirely to the other party.

2983a. Then, would not the party that was in favour of a thing that was increasing the assessable value of the county, that was decreasing drunkenness and leading to general improvement, would not that party be apt to sweep the county?—Well, there is another cause.

2984a. What do you answer to that question? Don't you think that such a party would be likely to sweep the county?—That would look very like it.

2985a. What is the explanation that it did not? In other words, why is it that the party that was in favour of that which was detrimental, was the party that succeeded?—The only explanation I can give is that political feeling appeared to be stronger than the public interest.

WILLIAM H. YOUNG.

2986a. Do you think, then, there were temperance men who allowed their political feelings to overcome their temperance sentiments?—I do. Another reason for repeal is the amount of money used in the last campaign.

2987a. For bribery purposes?—Yes.

2988a. You had evidence of that?—Well, I had no direct evidence. I was offered evidence, evidence that could be substantiated, that \$5,000 came from one firm into the county for that purpose.

2989a. Were any parties prosecuted?—No.

2990a. Were any steps taken in courts of justice to investigate?—I think not. But I think that no person, either favourable or opposed to the Act, would deny that fact.

2991a. Do you yourself favour prohibition?—I do.

2992a. Would you favour the enactment of a prohibitory law preventing the manufacture, importation and sale of intoxicating liquor throughout the whole Dominion?—I would.

2993a. In case of the enactment of such a law, would you favour liquor being made or imported for mechanical, sacramental and medicinal purposes?—I would favour its manufacture in the country for those purposes.

2994a. Would you commit the manufacture to the authorities or to private manufacturers?—I think to the authorities.

2995a. In case of the enactment of such a prohibitory law as you speak of, to what authority would you give the enforcement, Dominion, Provincial or local?—I would give it to the Provincial authorities if the Dominion authorities were not obtainable. I would be in favour of the Provincial authorities from the fact that there may be some Provinces who would be opposed to a prohibitory law. A plebiscite vote would determine the feeling of the people.

2996a. Then you think that if some Provinces favoured it and others did not, it would be better that the Provinces which favoured it should have the enforcement of the law, rather than throw it into the hands of the Federal authorities?—Yes.

2997a. Would you give the enforcement of it to municipal bodies under any circumstance?—No, I think not. That would be a failure.

2998a. In case of the enactment of such a law would you favour remuneration to brewers and distillers for their plant and machinery that was rendered useless?—On principle, I would not, if prohibition can be obtained without it. I would be in favour of giving fair compensation for real loss.

2999a. As a resident of the County of Halton, how do you find matters now compared with what they were during the Scott Act regime?—Well, they are very much worse.

3000a. In what way?—In the drinking usages. I believe there is more drunkenness now than I ever knew, either before the Scott Act or since.

3001a. Has the assessable value of the county decreased?—I have not paid attention to that point since, but I was in a position to look at that matter before.

3002a. You took an interest in looking into it at that time and found it was so?—Yes.

3003a. Do you find that the people, since the Scott Act was repealed, appear less prosperous, or have you noticed?—Yes, I have noticed. I think they are less prosperous.

3004a. Do you attribute that change in prosperity to the repeal of the Scott Act?—I do.

3005a. Then, I suppose, you would favour the re-enactment of the Scott Act for Halton?—Yes, I would favour any restrictive measure against the liquor traffic.

3006a. Have the people of Halton taken any steps since the repeal to have the law passed again?—No. The reason, I think, that no steps have been taken, is owing to the division in the political parties, and therefore there is no probability of united action.

3007a. Would you fear that the political feeling of which you have spoken would equally interfere with the enforcement of a national prohibitory law?—No, I do not think so.

3008a. Why do you discriminate?—I think it would be of a more general character. A general prohibitory law would be looked upon as free from political complexion.

3009a. I find it difficult, I may say frankly, to understand why this political feeling should exist in a small community and not exist in the larger arena. Now, was the liquor interest in the County of Halton when the Scott Act was enforced, sufficiently powerful to make the political parties desirous of getting its support?—No, I cannot say that.

3010a. Why should men break off from the support of the Scott Act, owing to their political feelings; in other words, how could politics enter into the question at all?—Well, I can give an explanation of that. For example—

3011a. I can understand how temperance men of both political parties may pledge themselves not to support for Parliament any candidate who will not vote for prohibition?—We have elected men on that question, but they dropped off when they get into Parliament.

3012a. But why should the Scott Act be repealed because a representative in Parliament did not give a particular vote?—It should not be done, but as I said before, political feeling appeared to be stronger than the prohibition feeling.

3013a. But you have already attained prohibition in this county, and now when an election takes place it is on a question entirely separate from the Scott Act question. It is a separate vote entirely?—It is a separate vote, but you can understand that where parties are not united, their strength is diminished, and we could not get a union of sentiment on this question.

3014a. I may frankly tell you that I cannot understand at all how politics could enter into this question of the repeal of the Scott Act?—They should not, but they did.

3015a. Unless the liquor interest was a pretty powerful factor in the county, and would work altogether regardless of politics?—That was a small factor, but I do not think that was the principle factor.

3016a. These men marked their ballots simply for or against the Scott Act, therefore it seems difficult to see how politics got in. If they did get in that way, in the county in regard to the election of one member of Parliament, would you not fear their getting into all the counties in the elections for members?—Excuse me if I go back to my first statement. I said that the forces were divided, and you could not get a union of feeling or sentiment to carry on the campaign for the Scott Act. They would not work together.

3017a. You say that the result of your experience as a Magistrate and also as an inhabitant of the county, made you believe that the Scott Act was highly beneficial to the county?—I do.

3018a. You believe it was effectively enforced?—As much so as it possibly could be.

3019a. That the consumption of liquor was very much reduced, that drunkenness was not apparent in the community to any extent, and that the state of things since does not compare at all favourably with what it was under the Scott Act?—That is my position. I want you to understand what I mean by decrease of drunkenness. I saw more drunkenness in one day in the town I reside in, a town of 2,000 inhabitants, the largest in the County of Halton, since the repeal of the Scott Act, than during the six years of the Scott Act.

3020a. Was it a special occasion?—Yes, it was an excursion party from different points.

3021a. How many people were there?—Probably 5,000.

3022a. Did any of them bring liquor with them?—I think not.

3023a. Do you think they got it in Oakville?—I could not say whether they brought the liquor with them or not.

By Rev. Dr. McLeod:

3024a. During the Scott Act regime, were there any similar excursions into your town?—Yes.

3025a. Did you see the same condition of things?—No. There was not the same number at any other time.

WILLIAM H. YOUNG.

3026a. Would it be possible for you to furnish hereafter a statement from your record as a Magistrate, or from any other source, showing the condition of things as to crimes and offences during the Scott Act period, and prior and subsequent?—Yes, I can do so.

3027a. Speaking about politics, do you think that they enter at all into the administration of the license law as well as the Scott Act?—No, not during the time that I was a Commissioner for the first few years after this Act came into force.

3028a. You think there was no political influence brought to bear upon the Commissioners at any time?—No.

3029a. Was the Board of Commissioners at that time made up of men of one political party, or were they mixed?—We are told that the intention of the Act was that they should be of various political stripes?—I think the first year that I was in, they were of one political party, Government supporters. You asked me if there was any political influence brought to bear upon the Commissioners. It was alleged that there was. A circular was sent out from the Department for the Board to give a statement of the political leanings of the hotel keepers. That was the first time I was aware of anything of the kind, and we found that out of 34 hotel keepers in our county, they were all of one political party save five.

3030a. And that was the dominant party?—No, the five men were Government supporters, that is, they supported the Provincial Government.

3031a. Do you know how it is now?—I cannot tell.

3032a. Do you know what the proportion would be now?—I cannot tell you now, for I am not Commissioner.

3033a. We have had it stated to us that sometimes the Inspectors received a hint that they had better go easy and not be too severe in their enforcement of the provisions of the law; and that Commissioners grant licenses because of political influence rather than because of fitness. Do you know anything about that?—No, I did not know anything about that when I was on the Board. The Inspector, who is a friend of mine, always repudiated anything of that kind.

3034a. There was no interference at all with him?—No.

3035a. A statement was made this morning about the Chief Constable of Milton. You are somewhat acquainted with Milton, I presume?—Yes.

3036a. We are told that Chief Constable Bradley had made a statement that the condition of affairs under the Scott Act in Milton was a great deal worse than it was under license, either before or since the Scott Act; that drink was everywhere, that drunkenness was general and that the state of affairs was most demoralizing. What is your view about that?—I heard the evidence of Mr. Murton to whom Chief Constable Bradley made that statement. He made that same statement during the time the Scott Act was in force. He was in an adjoining county and was interviewed by a newspaper reporter, and he made almost precisely the same statement. The facts were that Mr. Bradley was summoned into my court as a witness. I questioned him in this manner: "Mr. Bradley, you are constable at Milton?—Yes. Q. Have you had fair opportunities to observe the conduct of the hotels in this place?—Yes. Q. You are frequently in and out?—Yes, almost every day. Q. Have you at any time seen any of those men violating the law, or seen drinking going on?—I have not." That was his sworn statement.

3037a. So you put his sworn statement over against his statement to the newspaper man?—Certainly.

3038a. Did you ask him if he had seen more drunken men or not?—No, I did not ask him that. I asked him if he had fair opportunities of seeing the conduct of those hotel-keepers, and he said he was in and out almost every day. I asked him if he saw any drinking at those bars in violation to the law, and he said he had not.

3039a. And he said before to the newspaper reporter that the sale was free and open?—Yes, he said in this interview that there was more drinking at bars.

By Mr. Clarke :

3040a. Mr. Murton's statement has no reference to drinking at hotel bars. He referred to men going about the markets on market days, with flasks in their belts?—We have no market in Milton, that is, what we call a market.

3041a. How long has Mr. Bradley been Chief Constable?—I think he was so during the Scott Act regime, and he is at the present time.

3042a. Was he constable before the Scott Act period?—I think so.

3043a. Were there any complaints made to you before or up to the present time, of any dereliction of duty on his part during the time the Scott Act was in force?—I had occasion to find fault with him once. It was alleged that he secreted some witnesses, that he sent away witnesses that were required to give evidence; and I have reason to believe that he was in general sympathy with the law-breakers.

3044a. You had reason to believe that he was in general sympathy with the law breakers?—Yes, being a drinking man himself, his sympathies and feelings were all in that direction.

3045a. Were the charges of his having secreted witnesses, formally presented against him and proved?—Well, I asked him for the witness at the time he should have appeared in court, but he did not turn up, and I adjourned the court. When the witness did appear I asked him if he had got any knowledge that he was required to give evidence, and he said yes. I asked him from whom, and he said from Mr. Bradley.

3046a. Was Mr. Bradley present when the statement was made?—I am not sure that he was.

3047a. Was it on a statement made by a witness in Mr. Bradley's absence that you base your statement now that he was alleged to have secreted a witness?—That was the only direct thing I had.

3048a. Do you know anything else regarding his conduct in keeping witnesses away?—Nothing directly. That is the only direct thing I have. Of course, it would be hard for me to find it out. I have reason to believe he was not in sympathy with the Act.

3049a. Who appointed Mr. Bradley?—He was appointed by the Sessions as County Constable.

3050a. Who made him Chief Constable of the town of Milton?—The Town Council.

3051a. Was the attention of the Town Council of Milton ever drawn to the fact that these charges were made against him?—Not that I am aware.

3052a. And he remained Chief Constable during all the time of the Scott Act, and since?—Yes, I think there was an effort made to put another man in, but the majority of the Council appeared to favour him.

3053a. Did you have any complaints to make during the time the Scott Act was in existence, as to lack of support being given to you by the officers, or by the Government, or by the municipal authorities, in enforcing the law?—Yes. The municipal authorities, some of them, were opposed to the Scott Act, and they did not give any aid whatever. In fact, we did not look for it from any quarter.

3054a. Were there a sufficient number of officers employed to enforce the law fairly well?—Well, we had two Inspectors at one time for about a year. One Inspector was not sufficient for the county.

3055a. And for five years you had only one Inspector?—For four years. For two years there were two Inspectors. During that time matters were very much better than at any other time.

3056a. Do you know what was the amount of fines imposed by you during the time the Act was in force and while you were acting as Magistrate?—I cannot say at the moment, but I think somewhere about \$5,000.

3057a. What became of that money?—It was paid over to the Government.

3058a. Was it expended in enforcing the Act?—The officers were paid, the Inspectors were paid, and any detective service that was employed, was paid by the Government.

3059a. Could you give us any statistical information regarding the increase in the assessments? If you have any information, would you give us a copy of the information you have in your possession?—I will give you a copy. I would not like to say now in figures exactly what it is, but I will get it and send it to your secretary.

3060a. To whom should we apply for information regarding the assessment of the County of Halton during the last ten years?—The County Clerk, Mr. William Panton, who resides in Milton.

WILLIAM H. YOUNG.

3061a. Did you have any difficulty in enforcing the Act on account of appeals being taken from your judgments?—The most of my convictions that were appealed against, were sustained.

3062a. There was no trouble in regard to decisions?—No. There were a few appealed on some technical points, but not on the matter of evidence. One of the cases was capsize by a decision given by the late Judge O'Connor, that the Police Magistrate for the county had no jurisdiction in a town where there was a Mayor. The Government afterwards made an appointment for the town of Milton and the town of Oakville.

3063a. Was the attention of the Government called to any of these decisions?—It was called to the appealed cases. It was the business of the Department to look after appeals.

By Judge McDonald :

3064a. Did these appeals cause any long delay?—Delay in being settled?

3065a. In being settled, or delay the working of the Act?—No, I do not think so.

By Mr. Clarke :

3066a. Were any complaints made to the Government of Ontario with reference to your decisions?—There were general complaints made to the Government.

3067a. Were any specific complaints lodged by any lawyers or barristers?—No, not by lawyers or barristers. There was one, but I never could find out who it was. The Attorney General sent me a copy of the charges, and I asked him if he would be kind enough to let me know who my accusers were. But I never got a reply, and have not got one to this day. I replied to the charges, and I have heard no more about them. I emphatically denied every charge that was made against me. From the time I sent in my denial, I heard nothing more.

3068a. Do you attribute the repeal of the Act, notwithstanding its beneficial working, to the introduction of party politics into the discussion?—Not altogether: partly so.

3069a. What were the other causes?—Money was used in the election in favour of the repeal of the Act. That was a very powerful factor.

By Rev. Dr. McLeod :

3070a. Is market day a feature in the life of the town of Milton?—The market day of Milton is an imaginary thing. I never saw a market there. Every day is alike, unless that Saturday is a better day for the farmers to come in.

3071a. Now, this Chief Constable Bradley says that it was his duty to make arrests for drunkenness, and upon that he seems to base the statement repeated by Mr. Murton yesterday, that there was a great increase of drunkenness under the Scott Act. Now, what does your record show?—The commitments to the county jail do not show that, in comparison with former years.

3072a. Do they show there was really less drunkenness instead of more?—I think I am prepared to say to the best of my recollection, that the first year the commitments to the county jail were about one-half what they were the year before the Act came into force.

3073a. I have heard somewhere that immediately following the repeal of the Scott Act there were quite a number of accidents or fatalities that happened in Milton?—There were quite a number of persons who were killed or died through the influence of liquor. There was one young man who had kept sober during the whole six years, but one day after the Act was repealed, he broke out and took to drinking, and fell into the water and was drowned.

3074a. In cases against violators of the Scott Act, did you have any third offences and convictions?—Yes.

3075a. And were the parties sent to jail?—Yes, quite a number of them.

3076a. It is said that under the Scott Act there was a tremendous amount of perjury. Have you found that parties concerned in violations of the license law are given

to perjury as well as those concerned in violations of the Scott Act?—I do not think there is much difference. I have had cases under the Crooks Act, both before and since; I did not see any difference. I had a case a few days ago where I think the perjury was about as bad as ever it was under the Scott Act. It is not peculiar to the Scott Act. I think it is peculiar to the business of selling liquor.

By Judge McDonald :

3077a. You have stated to us that Mr. Bradley, the Chief Constable of Milton, was charged before you with having tampered with witnesses, with having induced a witness to remain away?—No, he was not charged.

3078a. But the statement was made?—I asked the witness if he had any knowledge of his being required to be at the court, and he said he had. I asked him who gave him that knowledge, and he said Mr. Bradley.

3079a. Did Mr. Bradley ever know that this charge was made against him?—I do not know.

3080a. Do you think it right to come before a tribunal of this kind and make such a charge against a man when a man is not here to defend himself?—The charge is true.

3081a. How do you know it is true?—Because they stated so.

3082a. But you never heard Mr. Bradley on that point?—No.

3083a. Do you charge a public officer upon mere hearsay?—(No answer.)

3084a. Now, you have had read to you the statement Mr. Murton made as to the sales from bottles and flasks of liquor in the town of Milton. Do you say that is not true?—No, I will not say that.

3085a. That may have existed?—I have not been there all the time to see it. I did hear that there was one man who went around with a bottle, and he was brought up before me at the time and was convicted.

3086a. So you are not prepared to say that the statement made by Mr. Murton is not true in fact?—I am prepared to say this, that I have been in Milton many times and I never heard the statement before.

3087a. You are Police Magistrate for the county to enforce the Act?—Yes.

3088a. Do you think it likely that the people could do these things before you?—I would have an opportunity of seeing, as well as he, what took place on the public streets.

3089a. Do you think it possible that people would keep out of your way on such an occasion?—I do not think everybody knew me.

3090a. Are you not pretty well known?—Yes.

3091a. Do you know anything about Burlington?—Yes.

3092a. Do you know whether there are special difficulties at Burlington in connection with the liquor question?—I am not aware of any except that under the Scott Act regime they said the citizens could get liquor in Hamilton.

By Mr. Clarke :

3093a. I think you gave the Commission to infer that Mr. Bradley was not very energetic in enforcing the law. Is that right?—Well, I was asked the question, and His Honour has taken me up pretty short on that matter. I should not have volunteered my statement if I had not been asked the question. But I have stated what was the fact, so I am prepared to repeat it—that Mr. Bradley, so far as I understood him, was not in sympathy with the Scott Act.

3094a. Would the decrease in the number of convictions or arrests for drunkenness be due to Mr. Bradley's apathy?—After the reprimand from His Honour I do not feel disposed to answer that.

By Judge McDonald :

3095a. I do not call it a reprimand. But you are a Magistrate, you have to administer justice for the whole county. Now, on the mere statement of a witness, without any opportunity being given to Mr. Bradley to give his explanation, do you think it was

WILLIAM H. YOUNG.

right for you to come before this Commission and circulate that statement in the press which is represented here?—I am inclined to think that Mr. Bradley was present. I will not say so positively, but I can find out by my records.

3096a. You say he was not asked to answer?—He was asked to serve those summonses, and I am of the opinion that he was present when the statement was made.

JOHN W. MURTON, recalled.

By Mr. Clarke :

3097a. In your evidence given this morning, you said something about liquor being sold from flasks and bottles on market days in Milton. Did you see that yourself?—No, I gave it as information received from Mr. Bradley.

ARCHDALE WILSON, of Hamilton, druggist, on being duly sworn, deposed as follows :—

By Judge McDonald :

3098a. What is your occupation?—Wholesale druggist.

3099a. You are a Vice-President of the Board of Trade, I believe?—Yes.

3100a. Have you been connected officially, at all, with the administration of the license law?—No.

3101a. I understand that your city has very large manufacturing interests?—Yes.

3102a. There are a good many men in Hamilton who are factory operatives?—Yes, a very large proportion.

3103a. We understand, also, that you have a class of sailors here during part of the season?—Yes, quite a few.

3104a. Taking the classes of population that you have, do you think that your city as a whole is an orderly and law-abiding community?—I think it particularly so.

3105a. In matters of trade and commerce, and in financial position, I suppose your city will compare favourably with others?—In the financial position of the merchants, I think very favourably.

3106a. Those operatives who work in factories, do many of them own their own homes?—I should think a very large proportion of them do.

3107a. So far as you can observe as a citizen, do you find that the temperance sentiment is growing, and that there is a consequent improvement in the people in the way of temperance?—Yes, I think that the people are getting more temperate; and I think the reason is their superior education.

3108a. I suppose the churches and temperance societies exercise an influence?—They probably have influence, but I think myself the chief reason is that they are better educated.

3109a. Do you yourself advocate the passing of a prohibitory measure for the Dominion?—No.

3110a. Are you opposed to it on principle?—I do not think it possible to make people sober or sensible by Acts of Parliament.

3111a. Do you think it would be possible to enforce such a law in the Dominion, if it were passed, and make it a success?—I am not lawyer enough to say whether people could be prevented from using any article of liquor. They certainly could not in commerce, if it was to be had.

3112a. In case such a law were passed, would you deem it right that remuneration should be made to brewers and distillers for their plant and machinery rendered useless?—Yes, I think it would. I think vested interests ought to be protected.

3113a. Do you find as a business man that your own business is affected either beneficially or prejudicially, by the liquor traffic?—I do not think it affects our business.

3114a. Taking the business interests of the city as a whole, how are they affected by it?—I do not think that on the whole they are prejudicially affected. Of course, the business of many people is in liquor itself. People who use liquors in moderation do no injury to commerce of any kind. I can understand that where people use liquors to excess, of course they are an injury to the community and an expense, I suppose, to the community.

By Mr. Clarke :

3115a. Have you given any attention to the licensing system?—Not much.

3116a. Can you say as to whether, in your judgment, the number of licenses now granted is excessive, or can you say how the law is observed by the officials whose duty it is to administer it?—If you want my opinion, I would make the license fee higher, which would have the effect of decreasing the number of places where liquor is sold. Then, if it were possible, I would like to see a law passed making it a misdemeanour to treat anybody. I think the treating system is responsible for the making of drunkards, more than the fact that they can get liquor. My idea is that the treating system is the primary cause of a great deal of drunkenness.

3117a. With regard to the treatment of those who have become users of liquor to excess, do you think there is any practical good accomplished by sending them to prison for short periods, when they come before the court repeatedly?—That has no effect at all. But I think a law might be passed, such as exists in some countries, I believe, which, while protecting the rights of the individual, would enable the country to take charge of habitual drunkards. I think such a law would be a very good thing.

3118a. By the establishment of sanitariums and asylums?—Yes, where people could be kept under control for a sufficiently long time to effect a cure. I would treat drunkenness as a disease.

By Judge McDonald :

3119a. Do you think it is a disease?—It becomes such.

By Rev. Dr. McLeod :

3120a. Why would you decrease the number of licenses?—I would raise the price of licenses. If you had high license, it would necessarily mean a higher retail price for liquors. That, I think, would have the effect of causing people to drink less. It would then cost too much money.

3121a. With a less number of licensed places, you think that fewer people would drink because they would not be able to pay for it?—If you have to walk ten or fifteen minutes to get a drink, if you are an ordinary temperance man, you will never take it at all, because it is not convenient.

3122a. Then you think a less number of places would afford less facilities for drinking?—Less facilities, exactly.

3123a. And would also increase the price of drink?—Yes.

3124a. Would not that be an interference with the rights of the poor man, who wants a cheap drink?—Of course, I am not in favour of those laws affecting either beer or light wines.

3125a. For instance, one man wants beer, another man wants light wines and does not care for whisky; but there is a large number of men who, if given their choice, would take whisky in preference. Would you interfere with their rights to get it conveniently and cheaply?—I am afraid I would, because I take the ground that whisky is not a necessity. If it were a necessity as a medicine, they could afford to pay this higher price. I think that beer and light wines are good and do good, but I do not think that applies to whisky. If the people could get beer and light wines such as they get in Germany and France, I think that in a very short time the demand for whisky would cease to exist.

3126a. If it were made impossible for them to get light wines and beer do you think the same result would occur, and that they would not want it after a while. Or would

ARCHDALE WILSON.

you make your preference for light wines and beer, the law for others, without regard to the desire of a man who wants whisky. We are often met with the plea of personal interference; now I ask you if that would not be an interference with the personal liberty of a certain class?—Well, I suppose that is a question of law. Individually, I certainly would take that course.

3127a. Your judgment dictates that course?—It would lead me to make the price of strong drinks higher, and the price of light wines and beer lower, because the former, I think, are injurious, while the others are good in many cases.

3128a. There are some people who think they are all injurious, and on that ground would they not have just as good a right as yourself to prohibit the use of all, and could you call it an interference with personal liberty?—I would endeavour to defeat them.

3129a. But you would assist them in prohibiting the sale of whisky?—No, I would not say that, but to increase the price. I am not in favour of prohibiting anything.

3130a. Except by increasing the price and making it difficult to get liquor?—Yes.

3131a. You spoke of the abolition of the treating system, would that not be an interference with personal liberty?—I suppose it would be an interference with personal liberty, but inasmuch as that liberty is, to my mind, a very dangerous one, I would deprive the country of it.

3132a. Then there is danger attending the treating system, you believe?—I believe there is. There is danger attending the use of whiskies and strong liquors, but no danger attending the use of wines and beer. That is my opinion.

3133a. And you would have the law along the lines of your belief on this matter?—Yes.

3134a. Do you speak for yourself, or are you the spokesman of the Board of Trade in this matter?—I speak for myself alone.

REV. THOMAS GEOGHAGAN, of Hamilton, Rector of St. Paul's Church, on being duly sworn, deposed as follows:—

By Judge McDonald:

3135a. How long have you resided in Hamilton?—Six years.

3136a. Have you seen anything yourself of the working of a prohibitory law?—Yes, in Crawford County, Pennsylvania.

3137a. Under what system?—Local option.

3138a. How did it work?—Its friends thought it did badly. After a while it was repealed. There was a great deal of drinking during that time. I have myself seen drinking in that county. I have been in hotels where it was sold when the law was in force.

3139a. Have you seen the working of prohibition in any other place?—No.

3140a. Speaking as a clergyman, do you find that there is a good deal of evil caused by excessive drinking?—A good deal, but not all the evil existing by any means.

3141a. Do you find that there are people with whom what is called alcoholism, becomes a disease?—Yes.

3142a. Do you believe that committal to jail of such persons for terms of twenty or thirty days, has a beneficial effect?—It does, by keeping them away from liquor during that time.

3143a. Would you favour the establishment of institutions where such people could be committed for a long time?—Undoubtedly. They should be treated medically the same as for any other disease.

3144a. I believe you take a great interest in the case of destitute children?—Yes.

3145a. I suppose you find in some cases that the intemperate habits of parents have caused misery to these children?—In some cases, and there are other causes.

3146a. Do you favour yourself the passing of a prohibitory measure, prohibiting the manufacture, importation and sale of liquor for beverage purposes?—If it was universal for the world.

3147a. But you would not for Canada alone?—Yes, if it was made universal in Canada. At the present time I would rather see the law we have, lived up to, than a more stringent law put on the statute-book. I mean the present license law.

3148a. Do you find it is not lived up to?—I do not think it is.

3149a. In what way?—I do not think the body of the people are sufficiently alive to the evils of intemperance, to care whether the law is violated or not. We are not living up to the present system and enforcing the laws we have; and if we go away beyond that, we will have a great gap between what we have and what the people want. For instance, I am satisfied that if thirty saloons were open to night after seven o'clock, there would not be thirty men in this town who would trouble their heads about it.

3150a. It is always left to the officials to look after that?—I do not know to whom it is left. I am merely speaking generally of what I know. I know they would not want to go and inform. But if public sentiment were such that every man would be wanting to inform and stop it, and felt that there was no stigma in doing that, then I could understand that we might be ready to take a step in advance.

3151a. Do you advocate the passing of a prohibitory measure for the whole country?—No, I do not. I am not advocating it at all, I say I would accept it. Advocating is one thing, accepting is another. I would favour it, but I do not advocate it. My feeling is that there is such a gap between public feeling and the execution of the law, that at present it would not be possible to enforce prohibition. It would be a dead letter upon the statute-book.

3152a. In the event of the passing of such a law, would you admit the importation of liquor for mechanical, sacramental and medicinal purposes?—Certainly.

3153a. One witness said he was opposed to the importation for sacramental purposes, because people could use unfermented wines, so-called. Will you please state the opinion of the church of which you are a clergyman, with regard to the question of sacramental wine?—The church to which I belong, as a church, knows of no wine except fermented wine. The unfermented article is not called wine. I have no sympathy with men who are wiser than the Lord. If a man tells me that he will not use fermented wine at the Communion, then I think he is a fanatic, and I stop with him there.

3154a. In case of the enactment of such a law, would you, for the purpose of obtaining liquor for mechanical, sacramental and medicinal purposes, consider it better that it be manufactured in the country or imported?—Manufactured in the country.

3155a. Manufactured by private enterprise, or by the authorities?—By the authorities, the same as our post office affairs are conducted by the authorities.

3156a. In case of the enactment of such a law, would you consider it right that remuneration should be made to brewers and distillers for their plant and machinery rendered useless?—I certainly think they should receive remuneration for whatever they had purchased for the purpose of manufacture. Any man that enters into a business for which he pays a license, ought not to have his property confiscated at the will of the people, without compensation.

3157a. How do you find the license law observed?—It is fairly well observed, but still some of the city bars are open Saturday nights.

3158a. Have you reason to suppose that the authorities attempt to enforce the law?—I think so, so far as I know.

3159a. Have you reason to suppose that illicit sale prevails to any extent?—I do not know of any place where illicit sale prevails.

3160a. You do not come across people who, you believe, get liquor illicitly?—No. I do not know any place where liquor is sold Saturday night, but I know men carry bottles home with them on Saturday and keep them in the house on Sunday. Not long ago I saw a man letting down a bottle out of a bar-room window to another man outside who was waiting to get it, and they had a drink. I took it for granted that it was strong drink. I found out afterwards from one of these men and his wife that they were in the habit of bringing home a bottle every Saturday night. He was generally drunk on Sunday. I found he carried it home Saturday night and drank it in his house.

REV. THOMAS GEOGHAGAN.

3161a. Have you found there has been an improvement latterly in the habits of the people?—A decided improvement.

3162a. We have been told in many places that the religious influences and the influence of temperance societies have produced these effects?—There is not the slightest doubt that temperance societies and Christian organizations have produced a good result, and the effect is seen in reducing the number of prisoners. I think the Chief of Police knows more than one man who has been a habitual drunkard, but who, by kindly interest in him, has been led to stop drinking, and is living a respectable life to-day.

3163a. I understand that you take a deep interest in these matters?—I take an interest in persons coming out of jail.

By Rev. Dr. McLeod :

3164a. As a pastor visiting families, do you know any one thing that produces the degree of distress, and poverty, and neglect of children, which the drink habit produces?—I can enumerate two other things that, I think, do.

3165a. What are they?—Extravagance in living and imperfect education.

3166a. Do these produce more poverty?—I do not know that they produce more poverty, I did not say that; but I say they produce a good deal of the poverty.

3167a. I want to know if there is any thing that produces as much of all this distress as the drink habit?—I would put it beside the two other things I have mentioned.

3168a. Does either one of these other things produce as much evil?—I think these two things are first causes which lead up, after a while, to dissipation, and after a while excessive drinking comes creeping in. For instance, I know a man who is earning \$6 a week, and his wife wants to drive a buggy around town, she wants to entertain her friends, and she wants to be well dressed. Now, that man cannot support her on \$6 a week, and she makes it too hot for him at home when she does not get enough money. That is excessive living. I know a case at the present time where the house is broken up, the man boards at some cheap hotel, and after a week or two he will take to drinking, and perhaps his wife will go down to a lower level than she is on now. All this trouble will be charged upon the man's drinking habits.

3169a. It is a very regrettable case, but do you not find a great many cases in which drink is apparently the cause of the distress and trouble in homes?—A good many.

3170a. A large proportion?—A good many of them, in my experience.

3171a. Of which drink is really the cause?—Drink is a cause at last, but not the primary cause.

3172a. There was something else that led to drink?—Yes.

3173a. Then the whole trouble is charged on the drink?—Certainly.

3174a. Do you think that is quite general?—I think there is a good deal of it.

3175a. So that in your opinion drink is not the primary cause of very much distress?—When they get into the drink, we all know about it. Another thing I mentioned is imperfect education, the want of technical education for children.

3176a. Do you find that the drink habit of parents is responsible for the lack of education in children?—I do not. I blame the system of education in the country.

3177a. Do you not find cases in which children do not get the advantages of even this imperfect system of education, because of the drinking habit of their parents, who consequently neglect their children?—Quite true.

3178a. Do you not find that drinking is the chief cause, not the exclusive cause, of a great deal of trouble in families? As a pastor, your views are of value. You are inclined to believe that the drink is charged with more than its due?—My experience is that there is a great deal of domestic trouble which is not due to drink. No man becomes a drunkard at once. If a man leaves his home at night and goes to a tavern, there is something wrong in his home.

3179a. Do you think that the cases of unwise extravagance in wives, are more numerous than the cases of drinking and careless men?—I think they are, because women and girls, and sometimes men and boys, are not taught to use their hands. To a certain extent, it is looked upon as unnecessary to teach them in our schools how to make bread, how to make clothes, how to cook food, and do any work of that kind; and when they are married they are perfectly ignorant.

3180a. You believe that wives, from one habit or another, are more responsible for distresses in the home than husbands are?—I do not think they are, but that is one of the causes I have noticed.

3181a. But I want to get at the chief thing?—I could not tell you. Laziness is one, extravagance is one, and drinking is one.

3182a. You are not sure which is at the top of the list?—I think drink comes as the last thing, the last great vortex into which they fall.

3183a. May not the drink habit have been the predisposing cause of this extravagance and carelessness, and this ignorance and neglect of children?—In some men, not in all. I know children of men who died of delirium tremens who are the soberest men I ever met; and I have known children of the most pious men I ever met, to die drunkards.

3184a. Speaking of compensation, would you give compensation also to tavern keepers?—It depends entirely upon what condition the tavern keeper got his license. If the Commissioners knew that man was preparing a place, and knew that he was fitting it up with the proper qualifications for carrying on his business, and if, at the end of six months, by no fault of his own, the business was taken away from him, then I say he has a right to compensation. But if, by fault of his own he violates the law, he must stand the consequence of it.

3185a. But if, by a passage of the law, his business is closed up, you think he ought to have compensation for what he put in when he undertook the business?—Just so much as I think a man whose house is pulled down to make way for a railway, ought to have compensation for the bricks and mortar put in it.

3186a. You spoke about the use of fermented wine, and about those who objected to the use of fermented wine, as knowing more than our Lord. Our Lord spoke of the "fruit of the vine," I think?—Quite true.

3187a. Do you think that the fruit of the vine as used by him, is at all of the character of the wine of commerce of this day?—I am not talking about bad wine, or rotten stuff. I am talking about fermented wine, pure and simple.

3188a. Is there any such on sale in our day?—Plenty of pure wine.

3189a. Is it the fermented juice of the grape that you mean?—Yes.

3190a. Some people do not distinguish between the fruit of the vine and the mixtures sold under the name of wine?—I think the mixtures are poison.

3191a. You do not think they are God's creatures?—Not at all, they are man's invention.

WILLIAM JOSEPH COPP, of Hamilton, iron founder, on being duly sworn, deposed as follows:—

By Judge McDonald:

3192-3a. How long have you lived in Hamilton?—Forty years.

3194a. How long have you been engaged in the iron foundry business?—About thirty years.

3195a. How many men do you employ?—From 100 to 150.

3196a. Are these men of different nationalities?—Yes, from every country, almost.

3197a. How do you find their habits for sobriety?—The large majority of the men are sober and industrious.

3198a. It is sometimes thought that men engaged in moulding, owing to the great heat, are perhaps given to taking liquors as a beverage more than other people?—A good many of them are in the habit of taking it.

3199a. Have you any rule laid down as to the employment of men concerning their habits?—We have no special rule.

REV. THOMAS GEOGHAGAN.

3200a. You require the men to keep within the bounds of sobriety while they are in your employ?—Yes, and we follow them up very closely to prevent their going out from the works and getting drunk.

3201a. You do not make it a requirement that they shall be total abstainers?—No.

3202a. Do you prefer total abstainers?—Yes, if we can get them.

3203a. Do you lose many of your men owing to their drinking habits?—When we find a man is of unsteady habits, we are very slow to engage him. We allow him to drop out.

3204a. Do you find that there is any loss to your business itself through the intemperance of workmen?—Yes, there is a very large loss.

3205a. It is sometimes stated that the work of some men in factories depends upon the work of another man, and depends upon his being at his post, and if, owing to drunkenness, he is not there, these other men are hindered in their work?—In our business it is particularly so with the moulders. They have their blowers, and if they are absent we lose the work of that blower. We have had serious losses from their absence throwing other men out of employment.

3206a. During your residence in the city have you observed an improvement in the habits of the people in respect to the use of strong drinks?—I think there is a slight improvement, but it is very slow.

3207a. You find the influence of churches and temperance societies are all tending to produce beneficial results?—I think the churches are becoming much more alive to the importance of temperance. There is a much better tone.

3208a. How do you find matters in the family life? Is there much liquor used for beverage purposes?—We come in contact very much with it in family life, and it is a very great disturber of peace in the family. I do not think that the family, as a family, largely make use of it.

3209a. Do men given to drinking habits generally go to drinking places, or do they take it home?—I think they generally go to drinking places. Some few drink at home.

3210a. We are told that of those places in this city at present there are 95 called taverns, 85 having accommodation for travellers, and ten without it. Do you think that number is greater than is required for the needs of the city?—I do indeed. We do not need more than half of them.

3211a. Are any of these places located near your works?—Yes.

3212a. Is that a source of difficulty?—We would rather have them further away. We are very sorry to see them coming near our works. They induce the men to slip out.

3213a. I suppose you do not find these places in the residential quarters of the town?—No, where I live there is scarcely a tavern. There is not one in ward No. 3. I should be very sorry to see taverns or drinking places come in there.

3214a. Have you had any experience of the working of a prohibitory law?—No.

3215a. Are you opposed to licensing the traffic?—I am not opposed to licensing the traffic, but I would much prefer a prohibitory law. Under present circumstances I prefer a license law, as long as we cannot get prohibition. But I would advocate the passing of a prohibitory measure for the whole Dominion, prohibiting the manufacture and sale.

3216a. Would you admit importation for mechanical, sacramental and medicinal purposes?—Yes.

3217a. Would you prefer to see it manufactured in the country or imported?—Manufactured in the country by the authorities, and kept under strict supervision.

3218a. Have you considered what would be the best means of enforcing such a law, whether by the Dominion, the Provincial or the municipal authorities?—I think there should be a Dominion law, with Dominion officers to enforce it.

3219a. In case of the enactment of such a law, would you deem it right that remuneration should be made to brewers and distillers for their plant and machinery rendered useless?—I do not know why they should be remunerated more than myself if I suffered from a change in the tariff. If I had a thousand tons of pig iron in my yard, and the duty of \$4 a ton was taken off by the Government, I do not think the Government would reimburse me for that; I am sure they would not do it, although it would be a decided loss to me.

3220a. This question is put to every witness, as to whether brewers and distillers should be remunerated for the loss of their plant and machinery?—I think not. I think they must take their chances with other business men.

By Rev. Dr. McLeod :

3221a. I suppose your output annually is pretty large?—Yes.

3222a. About what is your pay roll?—\$1,000 to \$1,200 a week.

3223a. And if you can get them, you prefer men who are not drinking men?—We very much prefer them.

3224a. Their wage-earning power is reduced by the drink habit?—Yes, very much.

3225a. It is an injury to themselves in the first place, and, as you have explained, it is often a disadvantage to you in your business?—A very serious one.

3226a. What effect do you think national prohibition would have on the business interests of the country generally?—I think it would have a very beneficial effect.

3227a. And on the wage-earning power of the population especially so?—Very largely.

3228a. Have you observed how the establishment of licensed drinking places affects the value of property in their vicinity?—It damages it at once.

3229a. Has the proximity of licensed places ever increased the insurance rates of adjoining property?—I do not know; I have not observed that.

By Mr. Clarke :

3230a. Do your men all work by the piece?—Some do, not all.

3231a. How do the moulders work?—By the piece, generally.

3231½a. What proportion of men in your employment are moulders?—Forty per cent.

3232a. Do you find them always willing and able to do their work?—As a general thing, we find them good, industrious men.

3233a. Do they lose much time on account of the excessive use of liquor?—Some of them lose a great deal of time.

3234a. Have they been in your employment a great many years?—Yes, some of them many years.

3235a. Have you had any experience of the operation of a prohibitory law?—None at all.

3236a. Have you given any attention to the operation of prohibitory laws in any country where they exist?—Not critically; but my impression is, from what I know of the Maine law, that it would be a great advantage to the country at large if it could be enforced.

3237a. Do you believe it could be enforced?—I believe it could be enforced just as well as any other law. I think, before a prohibitory law is passed, there should be a strong consensus of opinion that it is the proper thing, then I believe the law can be enforced.

By Rev. Dr. McLeod :

3238a. Are you able to form an estimate of about how much time the average drinking man would lose in the course, say, of a month, on account of his drinking?—It would vary. I have no doubt some will lose 10 per cent or 20 per cent of their time on account of drinking. I am not following the effect of the drink upon the man in all its ramifications, but I say he is not putting up as much work as he should do. I look upon it as a very serious detriment to a man when liquor takes hold of him, because it lessens his wage-earning power very largely.

By Mr. Clarke :

3239a. What do you mean by the drinking man?—He is a man with whom it has become a strong habit, a controlling habit.

3240a. These men that drink regularly a glass of beer at dinner, or a glass of beer at night, do they lose 15 or 20 per cent of their time?—No; but I believe that these men who get into the habit of taking it at noon and night, soon begin to take a little

WILLIAM JOSEPH COPP.

more, and I look upon that man as on the straight road to destruction, just as sure as fate. I do not fail to warn him and tell him his danger. I have seen lots of young men ruined by it, all their stamina taken out of them. And the old sinners try to lead the young ones astray.

JOHN J. MASON, of Hamilton, Accountant, on being duly sworn, deposed as follows :—

By Judge McDonald :

3241a. How long have you lived here?—Nearly forty years.

3242a. I believe you have been Mayor of the city?—I was Mayor for two years, and alderman for ten years. I am not in the City Council now.

3243a. Have you held any position in connection with the educational institutions of the city?—I am Chairman of the Finance Committee of the Board of Education.

3244a. When were you Mayor?—Five years ago.

3245a. At that time the license law was administered by a Board of Commissioners as at present?—Yes.

3246a. When you were a member of the City Council, did the Council have control of the licensing?—No, it was always under a Board.

3247a. When you were Mayor, of course, you were a member ex-officio of the Board of Police Commissioners?—I was.

3248a. As such you had something to do in defining the duties of the force?—Yes.

3249a. Was it considered part of the duties of the force to assist the License Inspectors in enforcing the law?—Yes.

3250a. Seeing that an illicit traffic was not carried on, and that the clauses relating to prohibitive hours were enforced?—Yes.

3251a. Have you reason to believe that those laws were fairly carried out in Hamilton at that time?—I think so.

3252a. Have you, as a citizen, reason to believe that they are fairly carried out now?—I think so.

3253a. Have you had any experience of prohibition in any section in which it has been in force?—Only in Woodstock, Oxford county; but only as a visitor.

3254a. What did you see there? Did you find it well enforced?—I found it was comparatively easy to obtain something to drink. The Scott Act was in force there at the time.

3255a. Are you yourself an advocate of the passing of a prohibitive law for the Dominion, prohibiting the manufacture, importation and sale?—I am not.

3256a. Do you think if such a law were passed it could be enforced in such a manner as to make it efficient?—I do not think so.

3257a. In case of the enactment of such a law, would you favour remuneration being made to brewers and distillers for their plant and machinery rendered useless?—Yes, I always had that view.

3258a. As a business man, can you say that the business interests of the city are affected to any extent, beneficially or prejudicially, by the liquor traffic?—I do not think that the business interests are really affected to any great extent by the traffic.

By Mr. Clarke :

3259a. Do you think the license law is pretty well administered here now?—I think so, so far as I can judge from my own observation.

3260a. Do you think there are not too many licensed places in the city?—I think they might be reduced.

3261a. There are ten saloon, and eighty-five tavern and hotel licenses. Are the ten saloon licenses necessary?—I do not think so.

3262a. We understand these saloons are practically drinking places?—I believe so.

3263a. Something has been said regarding a license given to Dundurn Park. Do you approve giving a license to that place?—Yes, for beer and wine.

3264a. We understand that large numbers of people congregate there from time to time, at picnics, entertainments, etc. Do you think it is advisable to give licenses for the sale of light wines and beer to places where large numbers of people congregate from time to time, places of public resort?—Yes, I see no objection to it.

3265a. In your judgment, do you think it would be well if half the number of licenses now issued for the sale of all kinds of malt and spirituous liquors, were cut off and, say, thirty licenses were given for the sale of beer and light wine alone?—That is a question somewhat hard to answer.

3266a. As a principle, would you favour the giving of licenses for the sale of beer and light wines?—Yes.

3267a. Now, with regard to the treatment of persons who have become habitual drunkards, and who are sent to jail for thirty days, do you think the present treatment has any beneficial and permanent effect upon them?—I do not.

3268a. Would you favour longer sentences, and their committal to sanitariums and hospitals as the Rev. Mr. Geoghagan suggested?—When I was Mayor for two years I had a good deal of experience with people addicted to drinking, and I quite agree with Mr. Geoghagan's evidence in what he said as to the primary causes of poverty and wretchedness amongst the masses of the population.

3269a. According to the returns presented by the Chief of Police, there has been a substantial decrease in the number of arrests and convictions for drunkenness during the past two years. To what do you attribute the decrease?—I think there is a general decrease in drinking in every class. I have formed that impression, not only as a citizen, but also as a member of a society that has had exceptional opportunities for observation; and we notice that there is a decided tendency towards a diminution of the drink habit. That has frequently been remarked at our meetings.

3270a. There seems to be a great improvement in the habits and customs of people respecting the use of liquor at public entertainments of all kinds?—That is my experience.

3271a. Have you had sufficient experience of local prohibitory laws to be able to give us an opinion as to their effect on the community?—No, I have not. Two attempts have been made here to carry a local prohibitory law, and both failed. The only experience I have is gained from visits made to two or three counties where it has been in operation.

3272a. I think you said there was no difficulty in individuals obtaining liquor in those places?—I found none, and I obtained it.

3273a. Speaking generally, what would be the effect on the morals of the community in having a law such as the Scott Act on the statute-book, and being flagrantly violated?—I think that the result must be bad. In my opinion there is no doubt about it.

3274a. Would it be preferable to have a license law as well administered as the present license law is in Hamilton, to a law like the Scott Act, which was practically a dead letter?—Far preferable, in my opinion.

3275a. I understood you to say that you are not in favour of a general prohibitory law?—I am not in favour of it, simply because I think it cannot be enforced, and that worse results will follow from it. I think if everybody stopped drinking, they would be better off.

By Rev. Dr. McLeod:

3276a. There would be no necessity for the law then?—No.

3277a. Following the question just asked, what do you think is the moral effect on the community of the violation of the license law?—I did not understand that Mr. Clarke asked about the moral effect.

JOHN J. MASON.

By Mr. Clarke :

3278a. I will ask you now, what would be the moral effect on the community of the steady, continuous and flagrant violation of a law such as the Scott Act?—I think it would be bad.

By Rev. Dr. McLeod :

3279a. I will ask you the same question, substituting the license law for the Scott Act. What is the effect upon the morals of the community of the violations of the license law?—I do not think it would be nearly as bad.

3280a. Why? Because the effect of the non-license law itself is bad, and the violation of it necessarily would be bad.

3281a. The effect of the non-license law itself is bad, you say; that is, the non-license of the traffic is bad, you think?—Yes.

3282a. Well, is the license of the traffic bad?—No, I do not think it is.

3283a. You think the non-license of the traffic is bad in itself, while the license of the traffic is not bad in itself?—No, I do not think it is.

3284a. Therefore violations of a non-license law, that is, sales without license, are bad in their effects?—I think so.

3285a. And the sales without license where there is a license law, are not bad in their effects?—I do not say that. I say they are bad, but not so bad as the others. What I mean by that, is that I believe in a good license law.

3286a. But I am speaking of the violations of that license law. For instance, John Brown and James Smith each have a license permitting them to sell at certain times and under such conditions, but they violate both the times and the conditions. What effect does that violation have upon the community?—I think it has comparatively little effect, because I think that it exists to a very small extent.

3287a. But in so far as it exists, does it have a good moral effect?—No, I think not.

3288a. I wish you could tell us—because we would like to get light on this subject—why it is that the violation of law in one instance has a bad effect, and the violation of law in another instance has comparatively little effect?—Well, in the first, one would be much more general than the other. The violation of a license law is narrowed down, it must be narrowed down, to a comparatively small compass, whilst the violation of a prohibitory law would be so general and so widely extended, that it would be almost impossible to cope with it. The law has a better chance of coping with licensed houses than with unlicensed houses.

3289a. From your experience officially and your observation as a citizen, do you know whether the law does cope with the violations of the License Act?—It does.

3290a. To what extent? Do the violations go on from time to time?—I do not know. I may be wrong, but my impression is that there is not violation to the extent that some people seem to imagine. I do not know where they get their information, or whether it is better than mine, but that is my own impression.

3291a. I think you said that the drink traffic does not particularly affect one way or another the business interests of the community?—Not so far as I know.

3292a. Do you believe the drink traffic affects in any degree the conscience and moral conditions of the community?—Only to a little extent.

3293a. But you think it does to some extent?—Yes, to a small extent.

3294a. I believe you are a School Trustee?—I am.

3295a. Your duty as a School Trustee involves, I suppose, supervision of the schools?—Yes.

3296a. Is there any provision in the license law forbidding the establishment of a saloon within a certain distance of a school-house?—Yes.

3297a. Why?—I do not know; because the Legislature saw fit to do so.

3298a. Do you think it is a good provision?—Well, I can hardly answer that question. I do not know that it is or is not. It might be in some particular sections; in others, I do not think it would make any difference.

3299a. The law makers must have thought it desirable, or public sentiment must have expressed a desire in some way, to have the saloons removed from proximity to a school-house?—I know of no other reason than that it may have been thought that saloons would be an occasion of disturbance in the neighbourhood of schools.

3300a. Do you believe that saloons are occasions of disturbance?—I know they have been in some cases.

3301a. Would they affect school management and school attendance?—Not so far as I know, as a Trustee. No such case has ever come before the Board.

3302a. As a Trustee, then, you would have no objection to the establishment of a drinking place in the vicinity of a school house? You do not see any advantage in its removal?—I do not know, not so far as my own children are concerned.

3303a. Take the children at large. Of course, one family differs from another family?—Well, a good deal would depend upon circumstances, upon the situation. It might be advantageous to some and not to others.

3304a. Take the schools as they exist and as they are composed generally. Is it a wise provision that the saloon is removed by law from the vicinity of a school house?—I think it is just as well. Personally, I do not see any very great reason for it, but I believe it is just as well.

3305a. Then you believe in that degree of prohibition, that it is just as well to remove the saloons from the vicinity of a school house where there are many children, to whom it might be a temptation or a menace in some form?—No, I did not speak of it as being a temptation to the children, not at all; but because disturbance might occur; in other words, that there are people who do drink and who might congregate at this particular place and create a disturbance.

3306a. Do you think this consideration may have weighed with the legislators, that the law should be designed to save children from becoming familiar with the saloons as a legalized institution?—No, I do not think so at all. I do not think there is anything in that.

3307a. It is simply to avoid possible disturbance?—I think so.

3308a. That would be on the presumption that the saloon is an occasion or centre, and not a source of disturbance?—Not a centre and source of it, but an occasion of it.

3309a. You do not think there is any particular violation of the license law in Hamilton?—So far as my own knowledge and my own experience go, I feel certain that the license law here is well observed, take it altogether, better than it has been in other places that I have been in. I speak from my own experience and not from what has been told me. It is better observed here than in some places that I have been in.

3310a. Is it observed here with increasing strictness?—I think so.

3311a. To what do you attribute that?—The increasing watchfulness with which these places are looked after and guarded, and the consequent readiness on the part of the saloon keepers and tavern keepers to comply with the law.

3312a. You think that the saloon keepers are better disposed to comply with the law, and that there is, besides, a more careful supervision?—I think so.

3313a. Do you think that the disposition of the saloon keepers causes the more careful police supervision?—I would not like to say as to that. I would be speaking of what they thought.

3314a. You have never been favourable to the prohibition of the trade?—No.

3315a. When were you Mayor of the city?—In 1888, for two years. I agree in the main with what Mr. Geoghagan said, because it was borne out by my experience as Mayor. Under our system, for some reason or another, all applications for relief come before the Mayor. While I was Mayor for two years, I made it a point, either myself or by deputy, to look into every case of application for relief on account of poverty. I visited between five hundred and six hundred different homes in this city during those two years, and I still have my books in which I took notes. I agree with Mr. Geoghagan when he says that poverty could not be, either altogether or very largely, charged to drink as the primary cause. That was my experience also when I visited those five hundred or six hundred cases and inquired into them personally.

JOHN J. MASON.

3316a. Can poverty be traced to drink either directly or indirectly?—To some extent, but not in a majority of cases, nor anywhere like a majority.

3317a. You think it is extravagance?—Yes, and he omitted one factor which came before me prominently before that time, and that was the want of employment, specially during the winter season. During the two years that I was Mayor, there was perhaps more than the usual lack of employment, more than there has been since. But in all the homes that I visited, I do not think there was one in ten, perhaps not one in twenty, where drink was the cause of the trouble of those who applied to me for relief.

3318a. Then you do not think that drink is the chief factor at all in producing poverty and distress in the homes of the people?—That was my experience. I would say, of course, that it would produce it more quickly than anything else.

STINSON BRADLEY, Chief Constable of the town of Milton, county of Halton, on being duly sworn, deposed as follows:—

By Judge McDonald:

3318½a. Have you another occupation than that of Chief Constable?—I am in the coal trade.

3319a. How long have you lived in Milton?—About all my life time.

3320a. How long have you been Chief Constable?—I could hardly say, but a number of years.

3321a. Were you Chief Constable of that town at the time the Scott Act was in force?—Yes.

3322a. Was the Scott Act effectually enforced?—It was not. What I mean is that there were a number of cases of drunkenness and convictions during the term of the Scott Act.

3323a. Was there much sale of liquor?—There was considerable sale of liquor in low places in Milton.

3324a. Were there many places in which it was sold?—Yes.

3325a. How many licensed houses were there in Milton when the Scott Act came into force?—I think there were three.

3326a. Speaking from your own knowledge, can you say in how many places you think liquor was sold illicitly under the Scott Act at any one time?—I could give you a rough idea. I knew four places at one time that were selling liquor under the Scott Act.

3327a. Do you know whether any sale of liquor took place by men who carried it about in bottles or flasks?—Yes. They carried it in their pockets, and had a tumbler with them, and sold it on the streets.

3328a. Can you tell me the class of liquor that was sold, whether it was malt liquor or spirits?—I could not say, but I know there was ale and whisky sold.

3329a. Can you tell whether the liquor that was sold was of a comparatively good quality, or was it an impure compound?—Well, I judged it was not the best of liquor.

3330a. Have you reason to suppose it was adulterated?—I could not say for myself, only what others told me.

3331a. So far as you could learn?—So far as I could learn, it was adulterated liquor.

3332a. Were the places in which liquor was sold illicitly, places which had formerly been licensed houses?—No, they were not, they were what is termed dives, places that are sometimes called shebeens.

3333a. Apart from the sale of liquor, what line of business would these people be engaged in?—Well, there was a woman who sold liquor there, who had no other occupation.

3334a. Were there any in trades or callings?—There was one merchant who sold liquor, and he was fined, I think; at least he was charged with it, I do not recollect whether there was a conviction.

3335a. Do you know whether there was any difficulty in that county in people imposing on the doctors in getting prescriptions from them, professedly for illness, but really to get drink?—I think there was, that was the object.

3336a. Do you know whether there was any difficulty in connection with the sale of liquor by druggists, who have what is called a druggist's license, selling it without a doctor's prescription?—I could not say as to that.

3337a. As constable, did you prosecute any cases, or were you present at the prosecution of any cases, infringing the Scott Act?—Mr. Brothers was Inspector for the Temperance Alliance, he was a County Constable, and he held all the informations against those parties who sold liquor, but he always gave the papers to me to serve on those people.

3338a. So that he was the official who instituted the prosecutions, and you were the officer who served the papers?—I served the papers and attended the trial.

3339a. Did you attend many such trials?—I attended a number of trials.

3340a. In those trials were you present when the evidence was given?—Yes.

3341a. Was there any difficulty in getting evidence?—Mr. Young made a statement that in his own court it was very difficult to get witnesses to give evidence.

3342a. Had you reason to believe from what you saw that there was false swearing?—I often thought so, but I could not tell.

3343a. I suppose if you could have known for certain, you would have taken steps, as an officer of justice, to have the parties prosecuted?—Yes.

3344a. Did you believe such to be the case?—That was my opinion.

3345a. Now, was there much drunkenness to be seen during the time the Scott Act was in force?—There was.

3346a. Was there ever any in Milton?—Yes, I have arrested people there for being drunk.

3347a. Were those whom you arrested while drunk, in concealed places, or were they on the public streets?—Sometimes on the street, sometimes in shebeens.

3348a. Sometimes they would be where the public could see them?—Yes.

3349a. A statement was made before the Commission to-day that you had given an intimation, as it were a warning, to a witness that he was required to be at court, and that in consequence the witness stayed away; and we felt that as this statement was made in public, you should have an opportunity in public of making an explanation?—I can give you the name of the witness, and everything. It was Mr. Frank Bartley, registrar for the county of Halton, and living in Milton. He is dead now. He got word, I do not know how, that there was a subpoena out for him to appear in court. When the court came on I was there as a witness, and Mr. Young charged me with telling the witness that I had a subpoena for him, so that he could get out of the road. I said to Mr. Young: I am ready to stand an investigation in this matter, for I did not see the man at all.

3350a. Then you told Mr. Young that you were not guilty of this?—I did, right in the court, and that I was willing to stand an investigation in the matter. He was wrong in making that statement.

3351a. Do you come under oath yourself and state that there was a wrong done you in that respect?—There was.

3352a. And that you were not guilty of interfering with that witness?—No, I was not.

3353a. Now, to what do you attribute the repeal of the Scott Act in the County of Halton?—My opinion about the Scott Act is that it was not properly enforced. There was so much drunkenness in the county that people got sick of it—so much liquor selling without a license.

3354a. We have been told here by a witness that a man who went through the County of Halton upon a bet to see if he could obtain any liquor, found it utterly im-

STINSON BRADLEY.

possible in the whole county to secure liquor ; but finally he went to a doctor, and under some pretext, got a prescription and went to a druggist and got a bottle of liquor. Would that man's experience agree with what you saw?—That might be his experience, but it is different from mine.

By Mr. Clarke :

3355a. You think you would not have to travel over the whole county to find liquor?—No, it was very easy to get liquor in Halton.

By Judge McDonald :

3356a. We have been told here to-day that the Act exercised a most beneficial effect upon the county, that the assessable value of the county was increased, that drunkenness practically disappeared, and so on ; but the Act was repealed for two reasons, that party politics crept in and that money was expended to procure repeal. What is your opinion in reference to that?—My opinion is that the Scott Act was defeated because it was not carried out.

3357a. You believe it was owing to its not being carried out and the drunkenness that prevailed, that people became dissatisfied and repealed the Act?—Well, I will tell you, there were too many small boys taking to drink, from ten years old up.

3358a. Where did they get the drink?—They got it out of these shebeens.

3359a. In what way would they carry it?—In flasks or bottles. I remember one instance, the little boy of Mr. Brothers, the Inspector, about twelve years of age. He and five other boys got liquor and took it over to Mullin's bush. They drank up all the liquor they had, and young Brothers was so drunk that they covered him over with leaves beside a log and left him for dead ; and when the men went to get him he was under the influence of liquor. When people began to see the Scott Act in that light, they changed their opinion.

3360a. That is the state of things that, you believe, led to the repeal of the Act?—That was my opinion.

3361a. It has been some years now since that Act was repealed and a license law substituted. What is the present state of things in that county?—So far as Milton is concerned, the license law is carried out well.

3362a. Is the present state of things more satisfactory than the state of affairs under the Scott Act?—It is, in my opinion.

3363a. Is there more or less drunkenness in the county?—I have only made one arrest for drunkenness in two years. I think there is less drunkenness now : there are less convictions.

3364a. As Chief Constable of Milton, when you find a man under the influence of liquor, but going quietly home, do you arrest him?—Not unless he is disorderly on the streets.

3365a. Do you see or learn of any drunkenness among boys now?—There is a little, but very little.

3366a. To what do you attribute that?—I attribute that to their getting liquor.

3367a. Where do they get the liquor?—They get some one to get it for them.

3368a. Have you endeavoured to trace out those cases?—We have, and we have stopped it.

3369a. Did you actually satisfy yourself that older people bought the liquor?—Yes, and I went to the hotel myself and had it stopped. That is one reason why I think that the license law is a good thing, because we can stop it, but under a prohibition law, we could not.

3370a. Under the Scott Act was there any sale of liquor on Sunday?—There was.

3371a. How are the provisions of the license law observed as to Sundays and other prohibited hours?—I think they are very well observed.

3372a. Speaking from your own experience of the two Acts in the County of Halton, which do you think is preferable in the interest of temperance?—I believe the license law is.

3373a. Do you yourself advocate the passing of a prohibitory measure for the whole country, prohibiting the manufacture, importation and sale?—No, for I believe the license law is the best.

3374a. Is it because you are opposed to a prohibition measure on principle, or is it because you do not think it could be enforced?—I think it could not be enforced, that is my opinion.

3375a. In case such a law were enacted prohibiting the manufacture, importation and sale, would you deem it right that remuneration should be made to brewers and distillers for plant and machinery rendered useless?—I do.

By Rev. Dr. McLeod :

3376-7a. We were told this morning by a witness that you had stated to him that on market days in Milton there was a considerable trade in liquor carried on by certain persons who carried it round in belts, or who were loaded with liquors in some way, and that consequently there was a wretched state of affairs generally. What have you to say about that?—Well, it was not carried in belts, it was carried in pockets.

3378a. How much could a man carry in his pocket, a demijohn?—If a man is prepared to sell liquor on the street, he could carry half a dozen bottles.

3379a. Do you know of any person who carried half a dozen flasks about, and a glass, somewhere upon their person, peddling liquor?—I would not say as to the number of bottles, but I have seen them.

3380a. What did you do as Chief Constable?—I had nothing at all to do with it, because I did not see them selling.

3381a. How many men did you see with half a dozen flasks on their person?—I could not answer that.

3382a. How many men did you see with one flask each in their pockets?—I could not answer that.

3383a. Did you see two?—Yes.

3384a. Did you see three?—Yes.

3385a. Did you see six?—Yes, and more. It was a common occurrence every Saturday night.

3386a. I mean on market days?—We have no market day there.

3387a. We were told you had something like a market day on Saturdays?—We have no market day.

3388a. And that market day was a feature of Milton?—Not without a fair. They have no market day there.

3389a. It is a market day whenever people go into town to sell their stuff, whether it is Saturday or Monday?—It does not make any difference. Whenever they can make a sale, they come in.

3390a. Then how many men did you see in one day with three or more flasks in their pockets, carrying them about for the purpose of sale?—I remember one Saturday evening, in particular I was out until two o'clock and I saw four.

3391a. Did you see four on any other day?—I never made it a point to find out whether there were more or less; but I remember that Saturday night in particular. There was quite a number of people on the streets a little the worse for liquor, and I had an idea who was selling these parties liquor. I went and spoke to him and said: Now, you must stop this, because if you do not, I will inform upon you myself; and he stopped it.

3392a. At two o'clock in the morning, they stopped selling?—No, I saw them between eleven o'clock and twelve o'clock. I stopped up on purpose to see that they did not go any further.

3393a. Did you, on any other occasion, see four men peddling it out of flasks?—No.

3394a. How many times can you recollect seeing this go on?—I cannot recollect; any number of times. It was a common occurrence.

3395a. Can you recollect half a dozen times?—That is the only night that I recollect particularly, because I made it a point that night to stop these parties.

STINSON BRADLEY.

3396a. There may have been some nights and other days, but you cannot say?—I know there were other times when I saw liquor in their pockets and searched them.

3397a. How many times?—I remember that one night, because there was quite a number in the streets the worse of liquor. But it was not my place to interfere with them. Mr. Brothers was appointed to do that himself, and I was only appointed by the town to act as Chief Constable for the town. Mr. Brothers was engaged by the Temperance Alliance, and paid by them so much a night. It was his place to stay on the streets and look after this, and not mine.

3398a. He was paid by the temperance people?—I suppose so. He may have been paid by the Government.

3399a. He was Government Inspector?—Yes.

3400a. What is your duty as Chief Constable?—To look after the by-laws and see that they are carried out.

3401a. Was it a part of your duty, if you saw a man violating the liquor law, to look after him?—There was another man appointed for that.

3402a. And you had nothing to do with that?—Nothing at all. I was appointed by the Town Council to look after the affairs of the town and carry out their by-laws.

3403a. But you had nothing to do with the Scott Act?—No, that is not what I was engaged for.

3404a. I understood you to say that there were three licensed places prior to the Scott Act, and after that came into force there were four places where liquor was sold?—Yes.

3405a. Were they selling openly?—No, the sale was concealed.

3406a. There was one woman who sold?—Yes.

3407a. Did she do anything else?—She might have done a little scrubbing or washing.

3408a. Did she sell any before the Scott Act?—No.

3409a. Did she do an extensive business under the Scott Act?—She did.

3410a. How large a business?—She bought a property out of it. I was told so by her husband.

3411a. Does she carry on the trade now?—No. After the Scott Act was repealed, she gave it up.

3412a. Could she not get a license?—I do not think so, because a hotel must have so much accommodation to get a license.

3413a. Do you think that Mr. Young, the Police Magistrate for the county, and Rev. Mr. Brethour, were pretty well acquainted with the actual circumstances in the County of Halton during those years?—I suppose they have an idea of the working of the Scott Act.

3414a. Are they men of standing in the community?—They are both respectable men.

3415a. Men of repute, reliable men?—Yes.

3416a. Would you accept their statement on a question as correct?—In reference to carrying out the Scott Act, I think Mr. Young is a little wrong.

3417a. What about the reverend gentleman I speak of?—I do not speak about the reverend gentleman at all.

3418a. Would he not have an accurate idea of the condition of affairs?—If Mr. Brethour had put himself in a position to go around the streets of Milton every Saturday evening, he could have found out how the Scott Act worked. There came a Presbyterian minister to Milton before the repeal of the Scott Act, and he went around to see how it worked, and he got liquor to drink in different places, right from the bar.

3419a. He tested the matter?—He tested the matter himself.

3420a. And if Mr. Brethour had put himself in shape to go around on Saturday night or any other night, in disguise, he could have found out?—I do not think he could go to any of these places and get liquor, because they knew who he was; he would probably inform upon them.

3421a. He could go to any of the licensed places and get liquor now with out being disguised?—Yes.

3422a. So there would be one man, at any rate, who could not get liquor under the Scott Act?—I said to Mr. Brethour once, "You disguise yourself and go around, and you will be able to tell the workings of the Scott Act."

3423a. There was one man at least who would have to disguise himself in order to get liquor under the Scott Act?—Yes. They would not give him liquor because he would prove a traitor to them.

3424a. And the same with respect to Mr. Young?—I suppose he would. You know that when a man is selling liquor that way, he is not going to sell to every one.

3425a. Do we understand you to say that those who sold under the Scott Act would sell only to those who would not give them away when they were put on the stand?—I believe myself there was a great deal of false swearing done under the Scott Act. I may be wrong in my statement.

3426a. And the people who sold under the Scott Act would not sell to any except those whom they believed would swear them through?—I believe that myself. I do not mean to say that I am correct in that statement, because respectable people would not go into those places for liquor as they go into licensed places.

3427a. Then the Scott Act prohibited the respectable people from buying liquor?—In a dive. They might get their liquor wholesale and take it to their homes.

By Mr. Clarke :

3428a. Who did?—Those respectable people who would not get it in dives. I am speaking of Milton.

By Rev. Dr. McLeod :

3429a. In Milton respectable people were prohibited from buying liquor because they would not buy it in dives?—They could buy it outside the town.

3430a. But they could not buy it there?—They would not go into those places to buy it. They would not lower themselves that low.

3431a. Now, in a general way, would you put your statement against that of Mr. Young and Mr. Brethour?—Yes, I will put my statement against theirs and back it up. If I knew I was to give evidence here to-day, I would have given you a statement.

3432a. Was there a good deal more drunkenness under the Scott Act than there is now under the license law?—Convictions will show that there was.

3433a. I saw the number of convictions this morning, and there was not half so many under the Scott Act as there are under the present license law. In 1887, there were five arrests for drunkenness in Halton; in 1886, thirteen were committed to the county jails for drunkenness. What have you to say about that?—That might have been the case, I suppose it is the case.

3434a. Do you still think there was a good deal more drunkenness under the Scott Act than there was previously under the License Act?—That is my opinion.

3435a. And more drunkenness than there has been since?—Yes.

3436a. You say boys could buy under the Scott Act; can boys buy now?—The hotel-keepers have stopped selling to boys since.

3437a. But you could not make the other stop?—No, because they ordered me out. They said they had control of it. Besides, it was Mr. Brothers's business.

3438a. I think you said the license law promotes temperance more than the Scott Act?—I think so.

3439a. Are you particularly interested in promoting temperance?—I like to see everybody temperate.

3440a. That is why you favour a license law?—Yes, because it regulates the liquor traffic. We have respectable houses selling liquor now, which we had not under the Scott Act.

By Mr. Clarke :

3441a. You are speaking largely about the condition of affairs in the town of Milton?—Yes, I am speaking of Milton wholly, I know all about it.

3442a. You had to do with the maintenance of law and order in the town?—Yes.

STINSON BRADLEY.

3443a. You were the person who had to suppress disorders and arrest drunken persons?—I had to carry out the by-laws of the town.

3444a. That was part of your duty, to suppress disorder and arrest drunk and disorderly persons?—Yes.

3445a. Then from the position you occupy, you are well able to give a statement regarding the condition of affairs in Milton during those six years the Scott Act was in force?—I think so.

3446a. Where does Mr. Young reside?—In Oakville, 16 or 17 miles from Milton.

3447a. Would he be as familiar with the condition of affairs in Milton as you were?—No, he could not be. He is a very respectable gentleman, of course, but he would not be able to give evidence of the condition of affairs in Milton as well as myself.

3448-9a. Where does Mr. Brethour live?—He lived in Milton three years ago.

3450a. I think you said you made only one arrest for drunkenness in two years?—I think that is so, under the license law.

3451a. When was the Scott Act repealed?—I think it was about four years ago.

3452a. How many arrests have you made for drunkenness and disorderly conduct during the four years since the Act was repealed?—Only four.

3453a. How many for drunkenness and disorderly conduct for any one year under the Scott Act?—I do not remember.

3454a. Did you arrest one a year?—Yes.

3455a. Two?—Yes.

3456a. Three?—More than in the whole four years since the Act was repealed, I think, but I would not say positively.

3457a. Did you do your duty as efficiently during the Scott Act period as you have done it since?—I did.

3458a. Have you relaxed your efforts in suppressing drunkenness and disorderly conduct since the Scott Act was repealed?—I have done my duty to the best of my ability.

3459a. And still you state that there was a great deal more drunkenness and disorderly conduct during the Scott Act period than before or since?—That is my opinion.

3460a. Is it a fact?—I think it is a fact, because under the Scott Act I was taken out of my bed many nights at ten or twelve o'clock to go and make order in the shebeens.

3461a. Was there evidence of increased prosperity in Milton during the Scott Act period?—I could not say as to that.

3462a. Has business fallen away in Milton since the Act was repealed?—I think it has not.

3463a. Would you know if it had?—Yes. My trade has increased.

3464a. What is your trade?—I am in the coal business.

3465a. Have you any interest in the liquor trade?—None whatever.

3466a. How long have you resided in the County of Halton?—About forty-two years.

3467a. Was there any special reason why the assessment value of the County of Halton should have increased during the Scott Act period? Was there any cause which led to increased value being given to the land?—I suppose to pay officers' fees.

3468a. What officers' fees?—Such as Mr. Young, Mr. Brothers, myself and other officers, to carry out the Act.

3469a. Were there more officers required during the Scott Act period than before or since, to maintain order?—There was a great deal more work to do. I was around four days in the week, between keeping the town in order and aiding Mr. Brothers.

3470a. Were you paid for aiding Mr. Brothers?—Yes, I got fees.

3471a. Has the assessment of the county fallen off since the Scott Act was repealed? I could not say, because I am not posted.

3472a. But you are posted sufficiently to say that one of the reasons for the increased assessment was to pay the increased cost of the officials?—That is my opinion, because there were many fees to be paid us.

3473a. You made some statement with regard to the way that respectable people procured their liquor during the Scott Act period? How do you know they procured it in larger quantities than they would under license?—I came to Hamilton very often, and some of my friends used to commission me to bring out a couple of bottles for them.

3474a. Does that custom prevail now?—No, it does not.

3475a. Did it prevail before the Scott Act?—I think not.

3476a. Do you mean that people who could not procure liquor legally when the Scott Act was in force, used to send to Hamilton and other places to buy it, and carry it to their homes?—Yes.

3477a. Did the custom of bringing liquor into their homes produce a good effect in the county?—It is not very nice for your family to have it in the house.

3478a. Have you any knowledge as to whether these people who commissioned you from time to time to have liquor expressed out to them, kept liquor in their homes before the Scott Act period?—I think not, because they have not kept any since.

3479a. Have you any breweries in that county?—We had one within seven miles of Milton, Brown Bros.

3480a. Are there any other breweries in that county?—I think there was one in Georgetown on a small scale.

3481a. I suppose you do not know anything about their trade?—No.

Bp Rev. Dr. McLeod :

3482a. It was stated here to-day that you had made a statement to a newspaper man about the condition of affairs under the Scott Act ; and that afterwards when you were before the Police Magistrate as a witness in some Scott Act case, the question was put to you when you were under oath, about that same matter, and you said in answer that you did not know where to find these illicit places?—You are mistaken there.

3483a. That is what a witness told us to-day?—I stated that the hotels did not sell it.

3484a. What case was that in which you were a witness?—It was a case against Mr. John Wallace. I was summoned as a witness.

3485a. Then you were summoned as a witness because you were believed to be a party to the violation of the law? Is that it?—No, that is wrong.

3486a. Why were you summoned as a witness?—I suppose they wanted to see if any of these hotels in Milton sold liquor. I suppose that was the idea, I was told so afterwards by Mr. Brothers himself.

3487a. You only arrested one person for drunkenness in two years?—I think that is right.

3488a. Do you think that only one person has been drunk in Milton during two years?—Oh, well, to come down to a nice point, there were lots of men in the Scott Act period who were under the influence of liquor but who were not arrested because they could walk home all right ; and it has been the same since.

3489a. You have only found one person in two years who was in a condition that made it necessary to arrest him?—There may have been two or three, but I think there was only one. But you can get a statement from the Crown Attorney in Milton.

3490a. Were you in favour of the adoption of the Scott Act?—I was at first.

3491a. And you became opposed to it?—I did when I saw the working of it, for it gave me a great deal of labour, more than I ever had under a license law.

By Mr. Clarke :

3492a. Were there any complaints made against you to the Town Council?—No.

T. W. CASEY, of London, journalist, on being duly sworn, deposed as follows :—

By Judge McDonald :

3493a. Where do you reside ?—In London, just now, but my home is in Napanee. Last year I was here in Hamilton on a little commission for one of the London papers. At the present time I am a journalist.

3494a. What paper in London are you connected with ?—The *Advertiser*.

3495a. Your home, you say, is in Napanee, and that was your headquarters for a long time ?—Yes.

3496a. Have you taken an interest in temperance work ?—Yes, for the last forty years.

3497a. Have you been actively engaged in it ?—Yes. I have been editor of a temperance paper for twenty years, and Grand Secretary of the Good Templars for about that time. For a number of years I was a Provincial officer in connection with the license department, and for some years have been a License Commissioner.

3498a. What were your duties as a government officer ?—Very simple. I was doing the duties that are now done by the Provincial Inspector.

3499a. Is it the duty that Mr. Manning did some years ago ?—Yes.

3500a. You were a sort of Inspector of Inspectors ?—Yes, from Hamilton eastward.

3501a. During that time were there under your jurisdiction some counties in which the Scott Act was in force ?—I had not jurisdiction of the Scott Act counties. That occurred during Mr. Manning's time, he was specially detailed for that.

3502a. In Scott Act counties there were a number of Commissioners and an Inspector, who gave druggists' licenses and looked after the enforcement of the laws ?—So far as supervision was concerned, Mr. Manning was appointed at once, and for sometime he had the oversight of counties that still retained the license law. Still, I was through Scott Act counties constantly.

3503a. Taking the counties as a whole, how did you find the provisions of the law carried out ?—There was a great difference, in some counties very well, and in some again very loosely.

3504a. Did it depend upon the efforts of the officers ?—Very largely.

3505a. Some officers were more efficient than others ?—Very much so.

3506a. And some Boards of Commissioners were more favourable to the enforcement of the law than others ?—Yes.

3507a. And the enforcement varied according to that state of things ?—Yes. In some counties the enforcement was very loose indeed ; in others again, all that could reasonably be expected.

3508a. Have you had yourself any experience of the working of a prohibitory law ?—I have been once or twice in Maine, and once or twice in Iowa, for a few weeks as a visitor.

3509a. And in Canada ?—So far as both the Dunkin Act and the Scott Act are concerned, I had considerable to do with them in the county in which I resided, Lennox and Addington. I was a Commissioner at the time.

3510a. Did you promote the passage of those Acts ?—Both Acts.

3511a. Had you reason to be satisfied with the manner in which they were carried out ?—No.

3512a. Which did you find the more efficient ?—The Scott Act, decidedly.

3513a. Now, will you kindly state the difficulties ?—Under the Dunkin Act, persons were allowed to sell by wholesale, that is, by five gallons, or by the dozen bottles, anywhere they could get a license for that purpose ; and the result was that there was scarcely a locality where the Dunkin Act was in force, where it was not easy to get large supplies of five gallons or a dozen bottles. My experience was that after a short time a great many got into the habit of clubbing together and getting a dozen bottles, and others taking five gallons home with them. Then it was a very easy matter, too, for a small dealer to lay in his stock. That, and the matter of appeals under the Dunkin Act were a source of much difficulty. There was no end of appeals. You had to prove an actual sale, and the law in reference to the right of search was very indefinite.

Then there could be an appeal from every conviction up to one or other of the courts, and the case tried again on its merits. There seemed to be an almost endless difficulty in getting convictions.

3514a. Had you anything to do in the framing of the Scott Act?—I had.

3515a. In doing that, did you take care to see that those difficulties were avoided?—As far as possible.

3516a. Did you find that the Scott Act was what you might call more workable?—Yes. One very decided advantage we felt in connection with the Scott Act was, in the first place, that there was no right of appeal from a Police Magistrate or from the local Magistrates. In the next place there was a better right of search; and then the wholesale license was done away with. All these things were very decidedly in our favour.

3517a. What difficulties did you find in practically carrying out the Scott Act?—In many localities one difficulty was in connection with the officers themselves; in other localities there was difficulty from the fact that perhaps on either side of a Scott Act county supplies could be easily obtained. Then there was the difficulty, the first year or two, of a whole lot of technicalities. One of the most serious difficulties in my experience, in the first year, was that there were no funds after a short time to carry on the work of prosecutions. The Scott Act itself, as you are aware, omitted to make any provision as to what should be done with the fines. The Dunkin Act had previously provided that where a Provincial officer got the fines, they should be handed over to the Provincial Treasurer. The Scott Act made no provision of that kind at all. It was a serious omission.

3518a. We understand that there was an Order in Council granting these fines to the prosecuting officers?—It came to this, that in Halton County and one or two others that were the first to adopt the Act, the Provincial Government ordered the Inspector to go on and enforce that Act as he had enforced the License Act. Then the difficulty came up for the first time that, so far as I could see, nobody was aware of before, that there was no provision as to what should be done with the fines. Then an amendment was passed the next year by the Dominion Parliament that all fines unprovided for should be deposited in a bank and left there. This amendment was passed in the winter, and it was not until the next October that an Order in Council was passed. In the meantime there was quite a number of counties where a considerable number of fines were collected, they were put in the bank and nobody could touch them; and in several of these counties the Inspector could not get at the funds for doing anything. In North Renfrew, at Pembroke, as a matter of fact, there were in the first year \$1,200 of fines deposited in the bank, and the Inspector had not one cent with which to go ahead with prosecutions, pay witnesses, and all that kind of thing. That was one of the first and most serious difficulties that we met with—that, and the fact that a large number of County Councils refused to make any provision for their share of the expense.

3519a. At one time, did not the informer get half the penalty?—No, that never occurred.

3520a. I may state to you that in the county from which we came here last, they told us that there the informer used to get half the penalty?—That is no part of the Act.

3521a. And they constituted themselves informers, I mean the friends of the Act, and in that way, by getting half of every penalty, they had a fund at their control to work with?—There is no provision in the Scott Act to that effect.

3522a. I may say in this connection that the judge of Victoria County told me that if they could have had one-half of the fines in that county, they would have constituted a Scott Act Association?—The Act went into force on the first of May, and from the first of May to the first of October, there was no provision at all for the disposal of fines. After the first of October came an Order in Council was passed, ordering that the fines should be paid over to the County Treasurer.

3523a. For the purposes of the Act?—So far as a large number of the County Treasurers were concerned, there had to be special legislation. Of course the Provincial Legislature had authority over County Councils, but during the whole of the first year

T. W. CASEY.

that financial difficulty was one of the most serious of all difficulties, and my decided impression is that it was what broke up the success of the Act.

3524a. Lack of money to enforce it?—Yes.

3525a. How do you account for the County Councils not using the money when it was given them for that purpose?—I do not know how to account for it. As a matter of fact, the Municipal Councils in the whole country to-day do not represent the temperance element. The Municipal Councils, and the County Councils, and the City Councils, throughout the country, are nearly all anti-temperance.

3526a. In those counties where a vote has been taken, showing a large preponderance of sentiment in favour of the Scott Act, how do you account for the fact that men do get into power in those counties, who are opposed to the Act?—I do not think that temperance men carry their principles very much into municipal elections.

3527a. They satisfy themselves with a vote in favour of the Scott Act, as a matter of principle, and go no further with it?—One of the worst mistakes was that, as a matter of fact, less than one-third of the County Councils made any provision. There was a power previously which the Government supposed at the time would apply to the Scott Act; there was a law passed while the Dunkin Act was in force, that any Council, where a temperance by-law was in force, should be required to provide two-thirds of the expense of enforcing that by-law, and the Provincial Government would provide one-third of the expense. Well, when the Scott Act came into force, the Provincial Treasurer brought down his estimates, and there was an estimate of \$10,000 to assist in the enforcement of the Scott Act in the different counties. It was thought that would be sufficient to meet one-third the expense, that with the fines, and the licenses to druggists, and the like of that. But about that time the fines, by Dominion legislation, were taken out of their hands, the McCarthy Act took the druggists' licenses out of their hands for a time, and two-thirds of the County Councils refused to vote anything until they were compelled to do so.

3528a. They were compelled to do so under the Provincial Act?—There had to be special legislation. It turned out that one of the sharp lawyers gave advice to the County Council of Grey that the Scott Act was not a temperance by-law, and that, consequently, according to previous legislation under the Dunkin Act, County Councils could not be compelled to act. I had considerable to do with the License Department at that time, and we felt that, under the circumstances, about one-third of the counties having made provision already, that it was just as well to let the matter rest. They saw themselves that the law was defective, but nothing was said about it. I think our Provincial Government was blamed on that ground more than they deserved. Nothing was said about it, because, if one-third of the counties who had made provision were to find out that they were not responsible, they might seek to reverse their action. That went on for a whole year, until the next year when there was Provincial legislation enacted covering that matter. The first year of the enforcement of the Act, the want of funds was a serious obstacle. The \$10,000 I spoke of, when it came to be divided among the counties, after paying Inspectors' salaries and all other expenses, in some places was run out in three months, and there was nothing else to fall back upon. In the County of North Renfrew that was particularly the case. The county in which I live was much in the same situation. In that county, I remember, there were \$1,200 in the bank, and for some months the Inspector had not anything to carry out prosecutions. As a matter of fact, after the long series of difficulties I speak of, after the McCarthy Act was declared *ultra vires*, and after they had made the counties pay their share, they got at the funds.

3529a. How do you account for the fact that such large sums of money were lying in the treasury that were not used?—For this reason, that in a large number of counties my experience used to be that the Town Councillors were decidedly against the enforcement of the law, and they would not pay anything if they could help themselves.

3530a. It now goes into the general fund. Do you think that is the case in many counties?—Yes. I think I have somewhere among my papers some facts bearing on this point.

3531a. We have found that, in the United Counties of Leeds and Grenville, private individuals paid \$300 to enforce the Act before the County Council got the funds, and

afterwards this money was returned to them. Do you know whether they adopted that system in other counties?—In a few. In some others they made a formal application, and sent a deputation to the Government asking them to give at least half of the fines to the informer, and agreeing, if the Government would do that, they would make up the balance themselves.

3532a. Do you favour the enactment of a general prohibitory law for the whole Dominion, prohibiting the manufacture, importation and sale?—Yes, I do very much. I believe that such a law would be effectual, and I do not think anything short of it would be.

3533a. How about a Provincial law?—I would be sorry to see it, I prefer a law for the whole Dominion. I do not think a Provincial law would cover manufacture and importation, and unless that is done, prohibition would not be effective. I think temperance people do not sufficiently realize how necessary that is, for if we were to prohibit the manufacture and importation, which can be very easily done, we cut off the supply; it would be a very difficult matter indeed for sellers to get their supply.

3534a. Some people think that with our long extended border between this country and the United States, and its easy water communication, liquor could be smuggled in?—There would be a great deal of smuggling. It is smuggled over now, and there might be small quantities brought in here and there, but it would not amount to very much.

3535a. To what authority would you commit the enforcement of that law?—After the experience we have had with the Scott Act, I should think that whatever authority enacts the law, ought to enforce it. If the Provincial Government could have amended that law, we would very soon have been able to enforce it.

3536a. Would you admit the making or importation of liquor for mechanical purposes?—Well, I would not object to it. I think it would be better if it was not done, but still, perhaps public feeling would be in favour of it.

3537a. In such a case would you have those liquors manufactured in the country or imported?—They might be manufactured in the country.

3538a. By the authorities or by private enterprise?—The same as methylated spirits are manufactured now. They are manufactured in a few places now, and then handed over to the Government, who dispose of them.

3539a. What amendments are required to the Scott Act to make it workable?—I think as it is now it is pretty efficient.

3540a. But it was not made so until its day was passed?—I think it is in force in some of the counties of the Lower Provinces.

3541a. You said that if the Provincial Government could have had an opportunity of legislating, it would have made it efficient. Would you state what is wanting in it?—From the opportunity I had at the time of knowing the inner history of the License Department, my impression is that if the Provincial Government had had the amendment of that Act from the beginning, it could have made a few amendments, just half a dozen lines, that would have supplied what was lacking.

3542a. What were those needed amendments?—One of them is in reference to that matter of fines. If they could have inserted a clause such as was in the old Dunkin Act, that whenever the Provincial officers made prosecutions, the fines should be handed over to the Provincial Treasurer, that would have been a very important thing. There was another difficulty which I did not speak of, but which turned out quite seriously: The Scott Act says that where a county Police Magistrate makes convictions, they are not appealable. Well, the Ontario Government before that time had appointed a number of Magistrates in Upper Canada. One of the judges, I think Judge Armour, finally decided that they did not come within the scope of the Scott Act at all, that a county Police Magistrate must be a Magistrate appointed for the whole county. The Ontario Government had to wait until the next session to make some changes—they had to change the whole machinery to make it fit that particular clause; whereas, if, on the other hand, they could have changed that clause by inserting a line, it would have been workable at once.

3543a. It was eventually done?—It was eventually done.

T. W. CASEY.

3544a. Now, you think the law has the machinery that is necessary?—So far as I know, during the two last years that the Act was in force in most of the counties, it has become quite complete.

3545a. How do you account for its repeal?—The people were very much disappointed in the first year. The first year the difficulties commenced, that I have spoken of just now. Then for a part of the second year, a number of counties came under that difficulty that arose on the Judge's decision about the county Magistrates; and they had to wait. By that time the first counties had begun repealing, and the tide was running that way. In the Counties of Lennox and Addington the Act was enforced very well the last year, and very efficiently; but it had been repealed in quite a number of neighbouring counties. Then, Hastings was on the one side, and it had not come under the Act; Kingston was on the other side, and it had not come under the Act; and the people felt that under the circumstances, it was no use trying to keep up the Act.

3546a. In Lennox and Addington the Act was carried by a majority of only 36, and repealed by a majority of 604. Now, where public opinion is so evenly divided as was shown in the first election would not that help to militate against the success of the Act?—I do not think that made much difference. A good deal more depended upon the way the Act was enforced, upon the faithfulness of the local Inspectors and Police Magistrates.

3547a. Now, that the Act has become efficient, do you find any agitation in favour of putting it in force again in any of the counties?—No. I think the feeling nearly everywhere now among the intelligent prohibitionists that I meet with, is that there is no use in anything short of a law that will strike at the manufacture and the importation as well as the sale.

3548a. There is a law in force in the Province of Ontario which allows municipalities to pass prohibitory measures. Are many of them availing themselves of that law at present?—About 30 or 40.

3549a. Is there any agitation going on?—Not much.

3550a. So you think now the temperance people are looking for prohibition of the manufacture and importation as well as the sale?—Yes. So far as I can understand the sentiment of the temperance people now, they think the time has passed for anything short of national prohibition. I may add, however, that the temperance people have always argued for a law prohibiting the importation and manufacture of liquors.

3551a. You have made this matter a study for years, have you not?—I have been in close contact with it.

3552a. Supposing that a national law was passed prohibiting the manufacture, importation and sale; and supposing that the Provinces, we will say, of Nova Scotia, New Brunswick, Ontario and Manitoba favoured that law, and the Provinces of Quebec and British Columbia were strongly against it, would you hope for an equally good enforcement in those two latter Provinces?—Just as the tariff is enforced, on the just and unjust.

3553a. So you think that the state of public sentiment in the community is not an important element in connection with the enforcement of the law?—Not under our Canadian administration. In communities where the people elect all their executive officers, the sentiment in each locality has everything to do with it, and that is the weak point they have found in the States. There they elect their Magistrates and their prosecutors, and everything else, and if there is a township where the sentiment is not strongly in favour of prohibition, they elect men not to enforce the law; while at other places they elect men to enforce it. But if we had a law in Canada that was enforced the same as our tariff law is, for example, I do not think it would matter very much about the sentiment in particular localities, only in some localities law breakers might be screened a little more than others.

By Rev. Dr. McLeod:

3554a. You lived in Hamilton at one time?—Last year.

3555a. You would probably be able to tell us something about the license law and its effect here. Do you know anything about the classes of houses to which licenses are granted, their accommodations or lack of accommodations?—Yes, I think I know as much

as those who have not made a special study of it. I was editing a temperance paper here; and previous to that time, as a Provincial officer, I made an inspection of every licensed house in the city. That was some years ago, and those houses I knew all about.

3556a. What did you find?—There are a large number of houses here, I should think one-half, that are not really hotels at all, they are drinking houses.

3557a. Do they make a pretense of having the necessary accommodation?—Of course; the law requires that they must stand an inspection, and they do stand that inspection, but they do not pretend to keep hotels. In the first place, there are over 90 licensed houses here, and there is not a legitimate hotel business for forty. This is not a city where there is a very large hotel business; it is not a city where people are coming and going to a large extent as in some other places. I remember, a little over a year ago, when I was here, I had some curiosity about the matter, and for some weeks I went every day to a hotel to get my dinner. I went to more than twenty of the licensed hotels in different parts of the city, between twelve and one o'clock, where they did not pretend to furnish a dinner; yet they had hotel licenses and had had for years.

3558a. Do the Commissioners know about this, do you think?—Yes, I told them. As a matter of fact, when I was Inspector here I met a man who has gone to his grave now, and he told me himself that he had a hotel license for about six years; and he said that after he had it about four years, one day a man came along and asked him if he could get his dinner. The hotel-keeper went to his wife and said: "Wife, we have got the first guest in the house we have ever had, let us get him the very best dinner we can." He rather enjoyed the incident. They got him his dinner, and when he wanted to pay for it, the hotel-keeper said to him: "You are welcome to your dinner, you are the first guest I have had in four years." I should say there are quite a number of hotels in this city in the same position, very centrally located, that do not pretend to furnish meals at all—unless they have changed recently.

3559a. Now the Inspectors and the Commissioners must know these things: that these places are not really hotels but only pretend to be?—Certainly.

3560a. Why is it that they wink at it? Is there any politics in it?—I think that Hamilton has been looser in that respect than any other town or city I ever had anything to do with. But so far as unlicensed selling is concerned, I want to say this: that I never was in any other locality at all where the law was so well observed.

3561a. Do you believe that a good many of the licensees are not qualified to receive a license under the law?—If they all had hotel accommodations and were all able to provide dinner and lodgment to-day, there are not enough travellers to go around to half of them.

3562a. There is another question arising from our Ontario investigation which I will mention. The statement is made that a good many of the licenses are controlled by brewers and distillers? Do you know anything about that being the case in Hamilton?—I think that is the case here. I think that something near one-half of them are controlled by one firm.

3563a. What reason have you to believe that?—Several cases have come up. One gentleman, a lawyer, here, whom I do not care to mention now, told me he had occasion one time, as a matter of business, to examine the Registry Office, and he found that one of the distillers here, he thought, had over forty licensed places that he was the real owner of. I noticed, last week, there was a house very near the City Hall that had a license, and the brewer closed it up and turned the man out and put somebody else in. And there is another house on one of the other streets, an old licensed house for many years. Once last summer I called the attention of the Chairman of the Board to the fact that every door on that house was locked except the bar-room door, quite a large house, too. It was explained to me a few days afterwards; the house belonged to one of the brewers, and he had turned the man out, and a few days afterwards he put another man in.

3564a. A man is turned out and another is put in. What about the transfer of the license? The Commissioners must know about that?—I saw that there was quite a curious Police Court case here last week. One of these houses was in the hands of a bailiff for a few days, and the occupant went on selling; and the previous license holder,
T. W. CASEY.

I suppose, wanting to get even with the new man, laid information that he was selling without a license. The case came before the Police Magistrate, and the Inspector said that the new man had got a sort of provisional permit in the meantime.

3565a. Do you think that politics had anything to do with these things?—I am pretty sure of it.

3566a. Why, and how?—Well, the two brewers who are leading men in this business, are very prominent supporters of the present Ontario Government. It seems to me that one reason why some men who have got a bad record in the Police Court, continue to get a license, is that if they were cut off the officials would be striking at a more prominent friend behind them. I may be wrong about that, but that is the impression I had.

3567a. In prosecutions for violation of the law by the licensees, do you know whether there have been many second or third offences?—I had occasion last year, about the time applications for licenses were made, to go over the police books for the three years previous, and I found that twelve or thirteen of those who had held licenses had been prosecuted and fined during that time; but I found to my surprise that although there had been about thirty fines each year on the average, there was not a single person in the three years who had been charged with a third offence, or with even a second offence.

3568a. Had some of them been charged a good many times for the first offence?—One of them was up six times, one five times, and several more four times.

3569a. And none of those licenses were revoked?—Not one. You asked if I thought politics had anything to do with it. Last year there were six of that class who passed muster again, and I took the list and went to one or two men who are well known ward politicians, and got the political record of all but two of these six men, and I found they were all supporters of the Government.

3570a. Do you think, then, that the political relations of these men had anything to do with their getting their license renewed?—Putting this and that together, it would be suggestive. There were only two men whose record I did not get, but I got the others, and they were all government supporters. But I never made use of this information.

3571a. We have heard about a race course near the city where liquor is sold freely without any license whatever?—I saw that. There was a large race here in June, I think, and I had the curiosity to go out myself and see how things were going. There was a very large bar 120 feet long, I took the dimensions of it, near the grand stand. There were 18 bar-tenders, and between the races they were pushed for all they were worth. There were wagon loads of liquor.

3572a. Were there any officers around there?—Yes.

3573a. What did they do?—Well, some of them drank. But the people who were selling liquor were not disturbed at all. There was this bar under the grand stand, then there was another out in the field. Those races went on three days, and these bars were selling on every one of those days. But I may say that that place is not in the city.

3574a. Was that illicit trade out there carried on by men who had a license in the city?—Yes. There were two sets of races, each lasting three days, and each time there was a different man ran the bar—The first time the lessee of the bar paid \$500 for the use of it.

3575a. To whom?—To the Jockey Club.

3576a. Do you believe that it was political influence which restrained the officers from interfering?—I do not know what was the reason, but we saw how it was. I have heard it stated that each time the tenants were strong supporters of the Government.

3577a. Now, we have heard about a park here, where there is a wine and beer license. Do you know anything about that?—I was there twice during the summer and saw that the law was not carried out. There was a large gathering there on the 24th May. The license only covers one place of sale, but I saw liquor sold in two or three places. Then on the 12th July there was another large gathering in the Park. I was there on that day and saw that other liquors besides wine and beer, were being

freely sold. There were bottles labelled whisky, and tumblers and everything else were on hand. I took with me a friend of mine who was present here to-day. I said to him: Now, I wish you to see for yourself how these bottles are labelled. When I first noticed them, they were full, but before night they were empty, they had been sold out.

3578a. So that under a wine and beer license they sold everything?—They sold everything. There are two Inspectors here, and neither one of them was on the ground strange to say, during the day. The police were there, but these people were not disturbed.

3579a. We have heard it hinted by some witnesses that the authorities sometimes intimate to the Inspectors that they had better go easy with certain violators of the law?—I think that to be the case frequently. I have had to do with Inspectors who have told me more than once that they would do their duty, but they were told by men that they supposed had a grip over them, that they had better keep quieter.

3580a. And they did keep quieter?—Yes, sometimes; but I want to say this on behalf of the Government, that whenever anything of that kind came to the notice of the department, the head of the department used to say to me: Say to those men not to mind what the Cabinet says.

3581a. You spoke a little while ago about having some official connection with the law; what was it?—I was for a while a Provincial officer in connection with the law, and had charge of the duties that are being done by the Provincial Inspector now.

3582a. Were you Superintending Inspector?—Yes.

3583a. Did you learn anything of the true inwardness of the administration?—Well, I tried to get at the bottom of it as far as possible. That was some years ago. I want to say that so far as the administration is concerned, I have been a good deal in all parts of the province, and I think things are looser here in Hamilton than anywhere else that I know of. So far as selling without license is concerned, Hamilton is wonderfully free of it. I have made myself pretty familiar with the condition of affairs here, and I only know one place in the city that I could hear of, where I think liquor was sold without a license. But as regards the licensed houses, I think there are very few other places where things have been so loose.

3584a. I suppose that, as in all other fields, the officials who get their appointment from a certain party, do not want to hurt their party?—It is an abuse of the present system of appointing Commissioners. The Commissioners are appointed each year by the Government, and the Government take their nominations from the local candidate of the party, and that local candidate, unless he is a marvellously better man than the ordinary run of politicians, names those friends of his who he thinks, perhaps, would do him the most good. That is a weak point in the present system.

3585a. Have you given considerable attention to the statistics of the liquor traffic? Yes, I think more than most people.

3586a. I have noticed some gentleman of your name who frequently contributes statistical articles to the public press?—Yes, I am fond of statistics.

3587a. Could you furnish us with some statistical information?—I will be glad to do so when the Commission visits London.

By Judge McDonald:

3588a. I am requested to ask you whether you had ever stated to the Inspector here that the license law was better administered in Hamilton than in any other place in Ontario?—I never said that. I think I was sent here once to make an inspection and a report. I made a report to the Government, and I look upon that report as confidential. There was one statement in the report which I believe is correct, that I found less rowdiness, less lounging about the licensed houses here than in most other places, and that statement was quite freely quoted afterwards. It is a matter of fact that I stated in that report that there were twenty odd houses here, at that time, that had not the accommodation required by law.

By Mr. Clarke:

3589a. What was the date of that report?—About five or six years ago. It is the only report I ever made from here.

T. W. CASEY.

3590a. Has there been any diminution in the number of licenses since that report was made?—No, I think there has been rather an increase since that time.

3591a. To what do you attribute the absence of illicit selling in Hamilton?—The number of licenses here is larger in proportion to the population than in any other city in Ontario.

3592a. Is it to the large number of licensed places that you attribute the freedom from illicit sale?—The probability is that some of those, if they had not a license, might be selling without it. I do not know how that would be, but it struck me—I had been here before this, last year two or three times, in an official capacity—that the place is singularly free from all unlicensed selling, and singularly loose as regards licensed selling.

By Judge McDonald :

3593a. You have not been present until this afternoon?—No.

3594a. There has been a great consensus of evidence here that there is very little illicit selling in Hamilton?—I think that is perfectly correct.

3595a. And that there is only one place selling illicitly, which they are trying to root up and are about to succeed?—I think that place has been fined several times.

GEORGE ROACH, of Hamilton, on being duly sworn, deposed as follows :—

By Judge McDonald :

3596a. What is your occupation?—I have retired from business, and am not engaged in anything.

3597a. You have been Mayor of the city, I believe?—Yes, in 1875 and 1876.

3598a. I understand you are a director of the Bank of Hamilton?—I am.

3599a. Have you had experience of the working of a prohibitory law?—In going through the country I have seen something of the Scott Act.

3600a. In what counties?—A few years ago Mr. Turner and I went around among our agencies in the County of Halton, We were at Orangeville, Port Elgin, and at Simcoe in the County of South Norfolk. The Scott Act was in force in all these places at that time, and liquor was sold openly at every place we visited; no difficulty whatever in getting all the liquor we wanted. In fact, parties there with whom we came in contact invited us to go to certain places, and we told them we understood the Scott Act was in force there, but they said: We make no account of that, it's all right, come along. We found it to be true.

3601a. As a citizen of Hamilton, how do you find the license law works?—I think it is the best system we can have.

3602a. How do you find the community for order and sobriety?—Hamilton is a very orderly city.

3603a. Is there much complaint about persons breaking the law who are in the traffic?—No, there have been a few cases of keeping open rather late Saturday evenings, but they are very rare.

3604a. If you had to chose between the Scott Act and the license system, which would you prefer for your city?—The license law altogether.

3605a. Do you think that the liquor traffic as carried out in this community, has any effect one way or another upon business interests?—I think it would be a very great detriment to Hamilton if there was no license here.

3606a. I mean apart from the business itself and what a man may make from it; do you think that the liquor traffic affects any other business in the community either for good or bad?—I think not.

3607a. Would you advocate the passing of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale?—No, I do not think it could be carried out.

3608a. In case such a law were passed would you favour remuneration being made to brewers and distillers for their plant and machinery rendered useless?—Certainly, they should be remunerated for their loss.

By Rev. Dr. McLeod:

3609a. What business were you engaged in formerly?—I was on the Great Western for twenty years, connected with refreshment houses on that road.

3610a. You were manager of the eating houses?—Yes.

3611a. I suppose there was a license for the sale of liquor in connection with them?—Yes.

JOHN MILNE, of Hamilton, manufacturer, on being duly sworn, deposed as follows:—

By Judge McDonald:

3612a. How long have you resided in Hamilton?—I have been here thirty-nine years.

3613a. What kind of manufacturing are you engaged in?—Scales, hardware and saddlery.

3614a. How many men do you employ?—250.

3615a. Are your employees of different nationalities?—Yes, I suppose we have some of almost every class.

3616a. How many moulders have you?—We keep about sixty moulders.

3617a. How do you find the habits of these people as a class?—Fairly sober men, but not all.

3618a. Have you any rule that requires your men to be total abstainers?—No.

3619a. You require them to be sober men, that is, men who are not drunkards?—If a man does not attend to his duties we discharge him.

3620a. You do not inquire into his habits in that respect, so long as he attends to his duties?—No.

3621a. Do you suffer any loss in your business from men who are not sober? For instance, we are told sometimes that not only a man may miss his own work, but that there are other men whose work depends upon his to a certain extent, and that his being absent, may put them out of work?—Sometimes we have to put up with a little difficulty from some men's getting off, but it depends a good deal on the management. We generally contrive to replace one man by another. We do not depend on only one man in a particular line, but we arrange to have another man to replace him in case of sickness.

3622a. Do many of your men do piece work?—Probably one-half of them do piece work.

3623a. Have you any licensed places near your work?—Yes, we have one right across the street.

3624a. Do you find that a source of difficulty?—Well, we did not want it there, we protested strongly against it, but the Commissioners seemed bound to put it there, I do not know why.

3625a. It is not a residential neighbourhood, I suppose?—Yes, there are quite a lot of residences and churches.

3626a. Near your works?—Yes, three churches and a school, within a block.

3627a. Is it a place to which travellers resort much?—No.

3628a. Is it one of those places that are not required to have accommodations for travellers, one of the ten?—I believe it is required to have accommodations, but I do not know whether it has any. They do not keep any boarders; it is very respectably kept. No license was ever granted to that place before. It was right across the road from our factory, and I protested against it. I went round and got the names of the majority of

GEORGE ROACH.

the ratepayers in the ward to a protest which I presented to the Commissioners, and they did not grant the license at that time. I went away for a time, and when I returned I found the applicant had got up another petition. I went to the Commissioners and asked them to give me a chance to go around again and get up another protest. I asked the Chairman if it would be in order for me to put in another petition, and he said yes, and I got a majority of the ratepayers to sign the protest. When the Commissioners met, the Chairman said: "The license is already granted, you should have had your protest in three days before, and it is of no use now."

By Rev. Dr. McLeod :

3629a. Did he tell you, when you asked him, that there was time for putting in a protest?—He told me so himself.

By Judge McDonald :

3630a. We have understood, from one of the Inspectors, that the Commissioners can exercise their own discretion in granting a license, notwithstanding petitions against it?—It seems that is the case, notwithstanding contrary petitions.

3631a. Did they give you any reason for exercising their judgment in that case?—No. I said to the chairman: "It is a very strange thing that you put that tavern there, near those public schools and churches, and near our factory, where we have so many men." He said: "Well, the pressure was very heavy, and we had to do it."

By Rev. Dr. McLeod :

3632a. I asked an ex-commissioner whether, if a petition signed by a majority of the people interested, were presented to the Board against a license being granted, he would refuse it, and he said he would. I asked him if there ever was such a case, and he said, never?—I can state that there has been such a case, my own case.

By Judge McDonald :

3633a. Have you found difficulty in the fact of that tavern being near your works?—Of course there always will be difficulties when there is a place of that description near a large factory. But the party keeping it keeps it very respectably. We do not have any trouble. If I were to make any complaints to him, he would try and meet them. I had nothing against the man, I did not know who was going to keep the tavern, but I was trying to keep it away from that neighbourhood.

By Rev. Dr. McLeod :

3634a. Still, you would rather not have it there?—It is no advantage to us.

By Judge McDonald :

3635a. Do you advocate the passing of a prohibitory measure for the whole Dominion?—I do not.

3636a. In case such a law were passed, would you favour remuneration to brewers and distillers for their loss of plant and machinery rendered useless?—I would, most decidedly.

3637a. Do you find that, apart from such difficulties as you have spoken of, the provisions of the license law are well enforced in this city?—I think they are better enforced now than they were three years ago.

3638a. We are told that the police force are at the disposal of the Inspectors to aid them in carrying out the law?—I think, from my observation, that the law is very well carried out.

By Rev. Dr. McLeod :

3639a. Have you changed your warehouse or store, in consequence of the existence of that saloon?—No.

3640a. Did you make another entrance?—We have built a new addition to our factory because the old addition was unfit for the business, but not on account of that saloon.

3641a. But you have this feeling about the existence of the saloon there, that it may be a temptation to your men, and that it would be as well if you were rid of it?—I certainly think that in all cases saloons should be kept away from large centres where labour is employed, and as far as possible from schools and churches. Of course, this saloon is well kept, I do not say anything against it. The man is probably as good a man as could be got. They might have got worse, but it is just a chance.

WILLIAM STROUD, of Hamilton. on being duly sworn, deposed as follows:—

By Judge McDonald:

3642a. How long have you resided in Hamilton?—I have been living around here for sixteen years.

3643a. What is your occupation?—I am a dealer in hides and skins, and also lessee of the Dundurn Park, where I hold a license.

3644a. What does your license cover?—Beer and light wines. It was granted for six months only.

3645a. How long have you had it?—Ten or twelve years. It is only a license for the summer season.

3646a. Is this park a place of resort for the citizens of Hamilton?—Yes. Societies go there, and there are demonstrations of various kinds.

3647a. Do you lease the park as well as hold the license?—Yes.

3648a. Then you can control admissions to the park?—Yes.

3649a. What kind of light wines does your license cover?—Native wines, clarets and wines of that kind.

3650a. Do you live up to the terms of your license?—I do.

3651a. You have observed it?—Yes. I heard the evidence of Mr. Casey, and he has perjured himself in what he stated about liquor being on the ground.

3652a. It was stated by one of the Inspectors here yesterday that you only sold wine, and that you prevented other liquors being brought upon the ground?—Yes, to the best of my ability. Sometimes it is hard to do it.

3653a. You cannot search people very well that go in?—No.

3654a. I think he stated, too, that the police made visits there at different times?—There are plenty of police there all the time to help in carrying out the law.

3655a. Do you endeavour to keep a quiet and orderly house?—Yes.

3656a. Do you find disorder prevailing?—No, sir.

3657a. Is good order kept?—All the time, except on one or two occasions.

3658a. Do you know anything about the working of the license law in the city?—Yes.

3659a. How do you find it working?—It is carried out well. I think the majority of people holding hotel licenses are living up to it.

3660a. Have you had experience of a prohibitory law?—No, but in my business I have travelled through Brantford, Paris and Woodstock, and I found sometimes that I could hardly get a meal or a good bed. Where there used to be good hotels, they now have half temperance houses, and they sold more drink than during the time of licenses. You could not get a meal nor feed for your horse, but you could get liquor.

3661a. What class of liquor?—Not fit to drink, the most of it. They would smuggle it in and adulterate it.

3662a. We have been told that in many of those places there was what you might call open sale. How was it in the places you visited?—It used to be just about that way in Brantford and Paris. They were under the Scott Act.

3663a. Have you travelled through them since?—Yes.

3664a. Did you find any improvement in the hotels?—Yes.

JOHN MILNE

3665a. Are you able to get a meal now?—Yes, they are all trying to see who can do the best for the travellers.

3666a. From your experience of the hotels in the counties where the Scott Act was in force and those where it was not, which would you prefer, the Scott Act or a license system?—A license system, certainly.

3667a. Have you any further statement you wish to make about your own place in answer to the statements made against it?—I deny them all. Nothing was ever sold in that place but beer and wine. The first year before we had a license there, whenever there was a demonstration, the people used to fill a keg with liquor, and put it under a tree, and tap it and drink it. A lot of them would club together for that purpose.

By Mr. Clarke :

3668a. Are there any complaints made to the Commissioners against your place?—No, except this. Mr. Buchanan went up there once and made a statement to that effect before the Commissioners.

3669a. Have there been any petitions presented to the Commissioners to deprive you of your license, or to refuse to renew it?—Not that I know of.

By Rev. Dr. McLeod :

3670a. The statement was made by somebody that you were not going to apply for it again?—I do not know. My lease has expired, but I may renew it.

3671a. Do you have a city license?—Yes.

3672a. I mean do you have a licensed place in the city?—No.

3673a. The park is inside the city limits, and you have a license for six months?—Yes.

3674a. Speaking about the qualities of liquors in Scott Act towns, how did you determine the quality?—I tasted it myself.

3675a. Do you think the hotels were not well kept when the Scott Act was in force?—I am certain of it. You could not get a meal, nor a place for a horse, nor a bag of oats, nor hay.

3676a. You think that was on account of the Scott Act?—No other reason.

3677a. You think the Scott Act was not enforced?—Well it was enforced that much, that it just ruined all the hotel accommodation for travellers throughout the country.

3678a. Yet they sold liquors, you said?—Yes, but they had to do it in a sneaking way. They did not compete with each other to accommodate the public.

3679a. Do you mean that they could not keep hotels because they could not sell liquor very freely?—It was not easy, they had to do it on the sneak; it was not open.

3680a. Do you mean to say that the hotel-keepers were not getting enough for the food they supplied to guests to pay them for the cost of the food? For instance, I go to a hotel and eat three meals a day and lodge there, and they charge me so much, and I pay them for what I eat, do I not?—I do not know whether you do or not.

3681a. Having paid my bill for food and lodging, they have no right to charge me anything more. Does the hotel-keeper charge me for what I get, or does he expect me to pay for the drinks that I do not get?—I do not know that.

3682a. Yet you pretend to say that the hotel-keeper cannot feed people who do not drink, unless he makes a profit out of the people who do drink?—I did not say that at all.

3683a. You say that substantially. You pretend to say that the hotel-keepers did not keep good hotels. Do you mean to say that you could not get meals?—You could get meals in a half way, but you could not get food for your horses.

3684a. But you could get all the drink you wanted?—A certain kind of drink.

3685a. Yet the hotel-keeper did not give you a good meal because he did not make profits enough out of the drink. You say that he cannot live except by selling drink. Do you mean to say that he makes a profit out of the people who drink to enable him to feed the people who do not drink?—I suppose there is a certain amount of profit in both.

3686a. Have you been complained against for violations of your license?—I do not know that I have been complained against by anybody except by a man named Buchanan,

a paid employee of the temperance society here, a man that has got to do that kind of talk and perjure himself to hold his salary.

3687a. Do you mean to say that Mr. Buchanan perjures himself?—When he says I sell anything else but beer and wine in Dundurn Park.

3688a. Do you mean to say that Mr. Casey perjures himself?—I do, when he makes those statements.

3689a. Do you know whether the Commissioners are proposing to withhold a license from you?—No, not on account of Buchanan's charge. I do not know it.

3690a. You are not sure whether you will renew your lease?—I am not.

FREDERICK WALTER, License Inspector, recalled:—

By Judge McDonald:

3690½a. Mr. Casey has made a statement on oath here this afternoon respecting the state of affairs at Dundurn Park, saying that there were a number of places there in which liquor was sold, and that the Inspectors were conspicuous by their absence?—He has not stated the truth.

By Rev. Dr. McLeod:

3691a. I asked him if any of the officers were about there, and he said: Yes, he guessed so. I asked: What did they do? He said: Well, I guess some of them patronized the bar?—On the 12th July, Mr. McKenzie and I went to the grounds. The Orangemen had published a pamphlet, in which they said there would be a number of bars in which beer and wine would be sold. On that account particularly Mr. McKenzie and I went to the Park that day, and searched every part of the ground, and we found only one bar at which any liquor was sold, and that was wine and beer.

By Judge McDonald:

3692a. You have heard the evidence given by Mr. Stroud?—Yes.

3693a. He has told us that he sells beer and wine only?—I believe that to be true.

3694a. You confirm that?—Yes. I have never heard any complaint made against him in that respect. I have heard complaints in regard to his running more than one bar, and I spoke to Mr. Stroud about that. We went there on purpose to see if there was more than one bar running, and to see if there was anything else sold but beer and wine. We examined this place, and while we were walking around the ground we spoke to a number of the police about it, but we found only one bar. There are fifty well known citizens who can testify that we were there on that day. I am astonished to hear these gentlemen make that statement on oath.

By Mr. Clarke:

3695a. Are there any complaints made against Mr. Stroud before the Commissioners?—Not that I am aware.

3696a. Have you heard any complaints made against him?—Yes, by Mr. Buchanan, during a public meeting. Mr. Stroud entered a suit against Mr. Buchanan for defamation of character, but it was withdrawn on the request of the License Commissioners.

3697a. Why did they make that request?—They thought it was unnecessary, as it did not do him any damage.

3698a. Why should they interfere at all?—They thought it was not wise to claim any damages, because they did not believe the statement made.

3699a. Did they believe they would be implicated in the charge, by reason of connivance at the violations of the law?—No; but because they had never had the statement made before them.

WILLIAM STROUD.

ANTHONY COPP, of Hamilton, on being duly sworn, deposed as follows :

By Judge McDonald :

3700a. What is your occupation ?—I was formerly engaged in the foundry business, but I have retired from it, though still interested in it.

3701a. Are you related to Mr. Copp who was examined this forenoon ?—A brother.

3702a. How long were you in the foundry business ?—Perhaps thirty-five or forty years.

3703a. During that time you employed a great many men ?—A great many men from first to last.

3704a. Did you experience any difficulty from the drunkenness of any of those men ?—Great difficulty.

3705a. Have you found an improvement in latter years in the better habits of these men ?—I cannot say that I have seen any improvement.

3706a. Was there any place near your foundry where liquor was sold ?—Not very near, but still there were places where they could run in and out, near enough to be a detriment.

3707a. Did you find that the earning power of the men was lessened from their drinking habits ?—In many cases.

3708a. Did you find that your business was at all prejudicially affected, say, from one man being drunk and others being prevented from working in consequence of their work depending upon him ?—Certainly.

3709a. How do you find the license law administered in your city ?—I have been away in Europe for some years, and do not know.

3710a. Are you yourself favourable to national prohibition of the manufacture, importation and sale of intoxicating liquors ?—Strongly.

3711a. Would you admit the making or importation of liquor for mechanical, sacramental and medicinal purposes ?—I would.

3712a. For these purposes would you permit persons to manufacture the liquor, or would you have it imported ?—Under Government manufacture, I would not object to it.

3713a. You think it would be better in such a case to take it out of private hands ?—If possible. Politics would interfere. Mind you, politics is a dreadful thing to interfere with preventing a proper carrying out of the law. We feel that strongly.

3714a. In case of the enactment of a prohibitory law preventing the manufacture, importation and sale of liquor, would you favour remuneration to brewers and distillers for their plant and machinery rendered useless ?—I have not thought of that question sufficiently to give it a proper answer.

3715a. Have you had any experience of a prohibitory law yourself ?—No.

By Mr. Clarke :

3716a. Do you know any country where there is a national prohibitory law ?—I have not looked up that question.

By Rev. Dr. McLeod :

3717a. In your long life have you observed what is the effect of the liquor traffic on the social and moral conditions of the community ?—It has a dreadfully bad effect.

3718a. Have you come to a conclusion as to what effect the prohibition of the liquor traffic would have upon the business interests of the country ?—I think it would have a good effect if we could only get rid of the curse.

3719a. You regard it as a curse ?—I do.

C. R. SMITH, of Hamilton, Secretary of the Board of Trade, on being duly sworn, deposed as follows :—

By Judge McDonald :

3720a. How long have you resided in Hamilton?—Thirty years.

3721a. Have you any statistics with you in connection with the trade of the city?—I have, and I now produce them. You asked the Mayor in regard to the number of manufactures that we have here. There are 178 manufactories of various kinds in Hamilton, employing 13,900 people as artizans. It was thought by the Mayor that the Commission should have these correct figures from the Board of Trade in regard to the manufacturing industries of this city.

3722a. Are these 13,000 operatives a sober and law-abiding class of the community?—They are.

3723a. Do many of them own their own homes?—A vast number of them do.

3724a. How do you find the license law working in the City of Hamilton?—Remarkably well.

3725a. Do its provisions seem to be well carried out?—I think excellently well. If there is a failing, it is in the law and not in the administration of it.

3726a. Have you had any experience of the working of a prohibitory system?—I have not.

3727a. Would you favour the enactment of a prohibitory law for the Dominion?—No.

3728a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—Most assuredly. I may say that during last fall, knowing that there was a strong probability that the Royal Commission would visit this city, I made a statement of the value of the hotels, saloons and restaurants in this city, with their plant, fixtures and stock. I personally visited every one of these places where liquor is sold in any shape or form. I procured from the license holders an exact statement of the value of their plant, fixtures and stock, which I believe to be perfectly correct, and I now hand that statement in to the Commissioners. (Appendix No. 1.)

By Rev. Dr. McLeod :

3729a. You have got up this table to show what would be the result if the liquor business was abolished?—The question I put to those interested in this business, was as follows: When the Royal Commission visits this city, it will be necessary for some one to place before them figures showing the value of your property, the value of the stock in trade, fixtures, etc.; so that in the event of the total abolition of your trade, the Commission may know what amount of damages you would sustain by the loss of your property. I took all those figures down from the individuals whom I interrogated.

3730a. Suppose these hotels continued to receive travellers and entertain them, would all these employees have to be dismissed?—In all cases I put this question: Could meals and beds be provided at the same prices at which you provide them now, in the event of prohibition taking place? In every case they answered, No.

3731a. Did you inquire as to whether they could make it pay to give accommodations to travellers at present prices without the sale of liquor?—I asked: Could they continue to give beds and proper accommodation at the same price as now, in the event of their licenses being refused: and in every case they answered, No.

Commission adjourned, to meet in Woodstock, October 9th, 1893.

C. R. SMITH.

WOODSTOCK, October 9th, 1893.

The Royal Commission on the Liquor Traffic met this day, at 3 o'clock p.m.

Present :

JUDGE McDONALD.

MR. E. F. CLARKE.

REV. DR. MCLEOD.

JUDGE McDONALD.—I have to announce that the sittings of Her Majesty's Royal Commission on the Liquor Traffic in the Dominion of Canada is now open. I may state that the Chairman of the Commission, Sir Joseph Hickson, is not able to be with us ; and another Commissioner, Mr. Gigault, is detained by his official duties at Quebec ; but we expect that both these gentlemen will join us at a later date. The subjects which we have been charged to inquire into are as follows :—

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 to social conditions, agriculture, business, the industrial and commercial interests, and the requirements of the municipalities of the Provinces and of the Dominion ; and also as to its capability of efficient enforcement.
5. All other information bearing on the question of prohibition.

Her Majesty's Commission was opened in Brockville, for the Province of Ontario, on the 2nd October, where the letters patent were read ; so I do not think it necessary to read them again. The usual rule has been to call the Chief Magistrate at every town where the Commission sits, and as His Worship the Mayor of Woodstock is present, I will ask him to come forward as the first witness.

JAMES HAY, Mayor of Woodstock, on being duly sworn, deposed as follows :—

By Judge McDonald :

3732a. How long have you lived in Woodstock ?—All my life. I have been Mayor a year.

3733a. Were you in the Town Council before that ?—Yes.

3734a. What is your business occupation ?—Furniture manufacturer.

3735a. What is the population of your town ?—About 9,500.

3736a. Can you tell me how large a police force you have ?—We have only two men, the Chief and an assistant, with some special constables who are not on active duty.

3737a. So far as the active police force is concerned, do you think it is sufficient ?—Quite sufficient.

3738a. Then I suppose your town is a law abiding and orderly community ?—Yes, quite so.

3739a. Your county, we understand, is now under the operation of the Ontario license law ?—Yes.

3740a. Was it at one time under the Scott Act ?—Yes, we tried the Scott Act for three years.

3741a. From a paper in front of me I learn that the Scott Act was adopted on the 20th March, 1884 by a majority of 775 votes ; on the 9th of May, 1889, it was repealed by a majority of 1,922 ?—I think that is correct.

3742a. How was the law found to work?—I do not think that the law was capable of being enforced very well. There is no doubt that liquor was sold.

3743a. Was it sold at all openly?—It was sold semi-openly. People knew it was being sold.

3744a. In many places?—I think so. I think it was sold in pretty nearly as many places as it would be sold under the license Act—without any question.

3745a. Have you reason to believe that the persons who sold in Woodstock were the same persons who had previously held licenses?—That I cannot say definitely. I have no doubt but that some of them were the same.

3746a. Were there some others besides?—I think so.

3747a. What are called shebeens, places of that kind?—Yes, I think there is no doubt there were others selling.

3748a. Were there cases in this community of men carrying liquor about on their person and peddling it?—I do not know that personally, but it has been said so.

3749a. Were you in the Town Council at that time?—No.

3750a. The Scott Act was in force for some three years, and then repealed?—Yes.

3751a. How do you account for its having been repealed?—From its unsatisfactory working, and the very poor results, from a temperance standpoint, that the law produced. I think that the community generally arrived at the impression that the law did not do what it was expected to do. It created a good deal of hard feeling among the people, and drinking was very little less, if any at all.

3752a. Were there vigorous efforts made to enforce it in the county?—There were for a time, but it caused a good deal of hard feeling among the people, so that eventually those who were inclined to enforce it, or to assist in enforcement, ceased their efforts in that particular.

3753a. Comparing that period with the period since, during which the town has been under a license law, under which has the good order of the place been best preserved?—I think that under the license law the good order of the place is much better preserved, upon the whole, than under the Scott Act.

3754a. Would you yourself prefer it, of the two systems?—Without any question, I think the license law is much the better.

3755a. Are you an employer of labour?—I have been all my life.

3756a. Have you found the liquor traffic to produce any injurious effects upon your business?—Yes, no doubt men who drink liquor are a hindrance to any business.

3757a. Did you find some of your men affected by it?—Yes.

3758a. In the employment of men, have you any rule as to whether they should be total abstainers?—No, I never made it a rule that the men should be abstainers. I would not employ a man who is known to be habitually addicted to drink.

3759a. A man whose efficiency would be injured by drink, you would not wish to employ?—No, I would not think of it.

3760a. And you would part with such a man?—It is hardly a charitable thing to part with him if he wishes to reform; I would rather give him another chance, and try and reform him.

3761a. But as long as a man's drinking habits are not such as to interfere with the discharge of his duty, you do not question him about that?—Not at all.

3762a. Have you suffered at all from losing the work of other men who have to remain idle owing to some man being off from drink?—That has occurred. A drinking-man, of course, is a nuisance in any manufacturing concern.

3763a. Is any of your work done by piece work?—Yes, largely done by piece work.

3764a. Have you much poverty in this town?—I would not say that there is much, but of course there is a certain number of people in want.

3765a. Is that want caused by drinking, on the part of the head or other members of the family?—During the year I have been in the Mayor's chair, there has been some want caused by drunkenness; but most of the want has been more in the shape of a widow with children to support, who has to trust to her own exertion. But there is not much of what you would call poverty; a little assistance in the winter in the shape of wood, is all that they require. Of course, we have some tramps from the other side that drop upon us occasionally.

JAMES HAY.

3766a. Have you noticed, as a citizen, whether there is more open drunkenness now than there was under the Scott Act?—I do not think there is any more drunkenness to be seen upon the street now than there was under the Scott Act, or but very little. This town is a very moral town in that respect, and very little drunkenness is seen. At fair time, or on public holidays like the 24th May, when we have large numbers of people in town, there are a very few trivial cases of over-drinking, but you hardly see such a thing as drunkenness on the streets. I think we have excellent order.

3767a. Do you yourself favour the enactment of a prohibitory law for the whole country, prohibiting the manufacture, importation and sale of intoxicating drinks?—Personally I do not favour it.

3768a. If such a law were passed, would you deem it right that remuneration should be made to brewers and distillers for their plant and machinery rendered useless?—As this business has been encouraged as a regular and lawful business, if it is found that the use of liquor is so injurious to the country that for the general good it should be suppressed, it seems to me it would be only equitable that some compensation should be allowed to these people if their property is to be destroyed.

3769a. In case of the enactment of such a law would you admit the making or importation of liquor for mechanical, sacramental and medicinal purposes?—As a matter of fact, I think some provision must be made for the use of liquor for those purposes.

3770a. Would you permit persons desirous of doing so, to manufacture them or would you have them manufactured by the Government for those purposes?—I am not prepared to say so far as that is concerned. I suppose it would be for the Government to determine which would be the best.

By Rev. Dr. McLeod :

3771a. I understood you to say that the Scott Act was not capable of being well enforced. Please say just what you meant by that?—I said it was not well enforced.

3772a. I understood you to say it was not capable of being enforced?—I meant by that remark, that without doubt the law had not the sympathy of the great mass of the people in town, such as the laws against arson and stealing have, and other laws of that kind, which require the support of the great majority of the people to enforce them properly. People do not look upon drinking as a crime, in the same way that they do upon those other things; consequently they do not feel that they should inform or give evidence against a person breaking a law of that kind. I think that is the main reason why the Scott Act did not have the full support and sympathy of the people of this community.

3773a. Do you remember the majority in its favour in Woodstock?—I think there were 200 against it in this town.

3774a. So it did not really have a majority of the voters in Woodstock?—No.

3775a. Do you think that any of the difficulties of enforcement were attributable to the officials?—No, I think not. Our Police Magistrate here is a strong temperance advocate, and he was anxious to have the law enforced. The real difficulty was that the people themselves, those who were in favour of the Scott Act, did not feel called upon to do anything, or do very much; and consequently the law became, to a certain extent, a dead letter.

3776a. I think you said, however, that the sale was more or less secret?—I think I said it was semi-open. I do not think there is any doubt that everybody in town knew that liquor was being sold continuously; I think nobody will deny that, that is, who has been around as much as I have. I myself have been a total abstainer for over thirty years, although I am not now; but I have had occasion to be around among the hotels and among business men, and have had a much better opportunity of ascertaining the condition of affairs than a total abstainer would have, or any clergyman.

3777a. You spoke about hard feelings being created; was that extensive?—A good deal of hard feeling was created, a good deal of unpleasant and unfriendly bickering.

3778a. In what way did that express itself?—There was a neighbour of mine, a strong temperance man, who was willing to put himself in the breach and inform, or assist people who were informing; and his windows were broken. After that I do not think that he cared to do very much. Those people who were losing their property and who

were compelled to make their living in an underhand way, felt very bitter against the people who were trying to destroy their business of selling liquor.

3779a. The hard feeling, then, was on the part of the people who were by law prohibited from selling liquor?—Yes, I suppose so.

3780a. And they expressed it in acts of violence against those who desired the enforcement of the law?—Well, there is just this one instance I give you as an example.

3781a. Do you know if prohibitionists have expressed their disapprobation of the license system in a similar manner, that is, by breaking the windows of the licensed sellers of strong drink?—No, the prohibitionists, of course, confine their efforts largely to public utterances.

3782a. They do not resort to deeds of violence?—No.

3783a. Is there a saloon near your factory?—No.

3784a. How near is there one?—Not within several blocks. We do not want a saloon near our factory.

3785a. What is your objection to having a saloon near your factory?—I think that the effect of having a saloon near a factory would be that the men would be more inclined to drink. I certainly object to it. I am not in favour of an extension of the license system, of increasing it. I believe it should be curtailed reasonably; and the law we have at present, carefully and rigidly enforced, I think, would be in the general interest and of the morality of the town. I would not be in favour of allowing the open sale of liquor, but rather of restricting it. That is my view.

3786a. But you would object to a saloon established in the vicinity of your works?—Yes.

3787a. Because it would be an inducement to your men to drink?—No doubt of it.

3788a. And their drinking would be an injury, not only to themselves, but an interference with your works?—Without question.

3789a. Well, a saloon has to be established somewhere, under the present law?—Yes.

3790a. So some person must be near it; it must be where some person does not want it?—Of course, we have no saloons in Woodstock, we have only hotels. There are fourteen hotels and two shop licenses.

3791a. Do you know whether those people who hold shop licenses sell in lesser quantities than three half pints?—I do not think they do; I think that law is very well observed.

3792a. Have you any idea as to whether the licensees in the hotels observe the provisions of the license law?—I think, generally, they do. There is no question, however, that liquor is sold outside the prohibited hours, and sometimes perhaps on Sunday; but it does not come under my observation very much; I have seen but very little of it. I think possibly they may break the law occasionally.

3793a. Do you think these fourteen hotels are all genuine hotels?—I think they are.

3794a. Having all the equipments the law requires in the way of rooms, beds and stable provisions?—That is a matter for the Inspector. I think they are all required to have the necessary stabling.

3795a. I thought, from your having said that you were a good deal about the hotels, you might know whether they had the required equipments?—I am not about the whole of them, but I rather think they have the stabling and the beds.

3796a. Do you know whether there are any places in town where liquor is sold illicitly?—I do not think so.

3797a. Are there any shebeens, as they are called sometimes?—I do not think there is one in town.

3798a. Have any of the licensees had their licenses revoked?—Yes, at one time we had many more licenses in Woodstock than we have now.

3799a. Were they revoked because of violation of the license law?—I think they were revoked on account of the provision of the Act that required a less number of licenses in town according to the population. At one time Woodstock had a great many shop licenses that sold liquor by the glass. That was stopped. I think Woodstock has made a great advance on the temperance question.

JAMES HAY.

3800a. Then we understand you to believe that there are no illicit places in Woodstock now?—I do not know of any. I do not think there is such a thing as an illicit place to-day in town.

3801a. You say the police force now consists of a Chief and an assistant?—Yes.

3802a. How was it in earlier days? Were there more or less?—I think we have only had two for the last fifteen years.

3803a. Did you have any more in Scott Act days?—I think not.

3804a. You think that equity would require compensation to brewers and distillers in the event of a prohibitory law being passed?—It seems to me that would be only justice. If the State takes their property for its own use, it seems to me only equitable that something should be paid to these people.

3805a. Does the State take their property?—If the State destroys it, it is tantamount to taking it.

3806a. Does not the distiller engage in his business just as you engage in the furniture business, taking all risks?—I think if the State said: You must not engage in the furniture business any more; in the interest of the whole community, every furniture manufactory must stop; in that case, I think the State should compensate us.

3807a. If by any change in the tariff your business should cease to be profitable, would you require the State to compensate you?—A change in the tariff is a different thing.

3808a. I suppose you do not put the furniture business on the same level with the distilling and brewing business in its effect on the community?—Of course not.

3809a. There are some people who say that if the brewers and distillers were to be compensated, there should be some compensation to the people who have been injured by the business of brewers and distillers. Have you thought of that view of the case?—Well, no person is compelled to be injured by the business of the distiller and the brewer. The business of the brewer and distiller has been a respectable and reputable business up to the present time.

3810a. Have you ever favoured a prohibitory law?—No.

3811a. You regard license as the better method of dealing with the traffic?—I think so.

3812a. As a business man have you observed whether the liquor business as carried on has any effect, whether beneficial or injurious, upon other business of the country?—Well, some say that the effect of stopping the liquor business has an injurious effect upon other business, but I cannot agree with that view entirely. I do not think that the effect of selling liquor in this town draws trade to the town. I do not agree with the view either that liquor is altogether useless; I am rather inclined to the idea that liquor is a good thing in many instances, but it should be used very sparingly. I do not think that business depends upon liquor or the liquor interest; neither do I think that the reverse is true. I think that business would go on whether liquor was sold or not, but it would go on less successfully if we had a great deal of liquor sold, or too much liquor sold. I do not think that liquor is at all necessary to make business good. If it is, then business won't be good very long.

3813a. So you think, then, that the liquor business has not much effect either way?—No. My view is that if it was possible to stop the use of liquor, it would not affect business harmfully.

3814a. It might possibly increase the purchasing power of the people at large?—Yes, they might be able to purchase in other directions.

3815a. As an observant man, have you noticed whether the liquor traffic, as it is carried on, has any effect, injuriously or otherwise, upon the social or moral conditions of the people? We are asked to inquire into the effect of the traffic on social life and morals, as well as on the industrial interests?—I think, unquestionably, that the abuse of liquor is not conducive to the good morals and the well being of the community, that is, when it is not used very sparingly.

3816a. Have you observed, as the Chief Magistrate of this town, whether the ordinary licensed drinking place is a centre of any degree of disorder?—No. In Woodstock I do not think that our licensed places are in any way a centre of disorder, either at present or for some considerable time in the past, to my knowledge.

3817a. Have you noticed whether persons in the community, who, at one time or another, do create disorders, are frequenters habitually of drinking places?—I think the licensed places are very careful, at least moderately careful, about who they give liquor to. Although undoubtedly they do give liquor to people who should not get it, still, so far as I have observed, they are pretty careful in that respect now, and I am inclined to favour laws that will make them more careful in that respect, forbidding them to sell to a man who does not provide for his family, or who acts in a criminal manner on account of liquor. If there is no law now that will prevent men from selling liquor to such an individual, there should be a law for that purpose, preventing men from getting liquor, who break the peace and who neglect their families.

3818a. Are the men who hold licenses in Woodstock to-day, the men who violated the Scott Act?—Well, I should say that some of them are.

3819a. Are they the men who held licenses prior to the Scott Act?—Yes, some of them.

3820a. Are we to understand that the men who held licenses prior to the Scott Act, and who, upon that law coming into force, in at least one instance which was stated, did injury to the property of those who sought to enforce the law, have now, since the Scott Act has been repealed, on account of that condition of things, been given a legal status to carry on the business?—What I wish to say about that is this, that I merely gave that as an evidence of the bad feeling that was created. On the one side, people said: We will destroy your property and close up your business; people, on the other side, felt that it was a personal injury to themselves. Now, who created those troubles, I cannot say; who broke those windows, I cannot say. The presumption would be that it was some person who felt that he was injured. You asked me about men who had licenses ten years ago, and had not licenses during the Scott Act, and now hold licenses again. I believe that some of those men sold liquor without a license during the Scott Act; in fact, I suppose I may say I know it, because they were convicted.

3821a. I have heard somewhere that an arrangement was made between certain hotel-keepers and the authorities, and that a bond was given by the former to observe the law?—I do not think anything of that kind has been done here, not to my knowledge.

3822a. About this disturbance that resulted from the bad feeling that was created by the enforcement of the Scott Act, were there any arrests or trials in connection with that disturbance?—There were no arrests or trials.

3823a. Do you know who broke the window?—I do not.

3824a. Did I understand you to say that the inference was that it was done by someone who had been deprived of their license?—Yes, that was the inference, the general supposition.

3825a. Do you think that the Scott Act had a full and fair trial?—I think during those three years it had an excellent trial.

3826a. Do you think the municipal authorities and the Inspector did their duty in supporting those who were desirous of seeing the law enforced?—I think they did their duty efficiently.

3827a. Was it due to the fact that there was a majority of the people of the town of Woodstock opposed to it, that the law was not as successful here as its friends desired to see it?—I do not think that the fact of a mere majority of the people being in its favour, will make a law successful. There are some laws that you cannot make a success by having simply a majority in their favour. If prohibition is to be a success, you must have an overwhelming majority in favour of it, just as you have an overwhelming majority against stealing. A simple majority of the people opposed to drinking liquor cannot make prohibition a success.

3828a. Your opinion is that, before the law can be successfully enforced, it requires to have a very large majority of the people in its favour?—Without any question.

3829a. Is there much drinking in the rural districts?—Very little. The drinking customs are less than they have been.

3830a. Is there more drinking done now in the rural districts than before the Scott Act period?—I do not think there is much difference in the rural districts, so far as the Scott Act is concerned.

JAMES HAY.

3831a. Did it operate better in the rural districts than in the town?—There has really not been much drinking in the rural districts for some time. I think the Crooks Act had considerable to do with that.

3832a. Did you notice an improvement in the condition of affairs in the rural districts during the Scott Act period?—I do not think there was.

3833a. If our record is correct, the Act was adopted by a majority of 775 in this county, and was repealed by a majority of 1922?—I think that showed what the general consensus of opinion was. The advocates of the Scott Act expected a great deal more from it than the results gave them, and the people generally felt that repeal was better than a continuance of the Act.

3834a. But did they think that licensing the traffic was better than the Scott Act?—I think so.

3835a. Do you think that many of those who voted for the Act in the first place, voted to repeal it?—I think there is a great number of people who are not decided one way or the other; a great majority of the people are undecided on the question, and it was merely a change in opinion among those people. I do not think that many of the strong temperance men changed their views.

3836a. Have you had an experience of a prohibitory law in other places?—I have been around the country, in the different cities, a good deal, and of course I have observed the working of the temperance law. As I said before, I was a total abstainer for thirty-five years. I joined the Temperance Society as a young man, and of course I gave a great deal of attention to the working of the Scott Act in different parts of the country. While I was a total abstainer I was in Massachusetts, where there was a prohibitory law, and I found that people who wished to drink were able to do so without much difficulty. There was enough liquor to be obtained, without any question.

3837a. How long since you were in Massachusetts?—About fifteen or twenty years ago. They had a prohibitory law there.

By Mr. Clarke :

3838a. Have you had experience in other places besides Massachusetts?—Yes, the eastern States, Maine.

3839a. What did you see in Maine?—My own experience was in Portland, and there was a good deal of drinking. From the way I saw liquor being sold there, I would not know that there was a prohibitory liquor law. The hotels sold it just the same as in any other city, with no attempt at concealment, so far as I could see.

By Rev. Dr. McLeod :

3840a. Were you there a long time?—Just on business, several days, only passing through.

3841a. I suppose you could scarcely regard your knowledge of the workings of prohibition in Maine sufficiently intimate to warrant you in expressing an opinion as to the Maine law, taking the State throughout?—Although I was a strong temperance man at the time, the impression I got in Maine was certainly that the law did not do what it was expected to do.

3842a. That was in Portland chiefly?—Yes. I was in some of the interior towns of the State. I was through the State a good deal upon business.

By Mr. Clarke :

3843a. What was your general experience through the State?—Of course I was not looking for liquor, and I have told you my experience in Portland, because it was different from what I expected to see. In the hotel that I was in, liquor was sold without restraint, it seemed more like a lumber camp. But in the interior towns of Maine a stranger sees very little liquor being sold, although, of course, there are some places where it can be had if you ask for it.

3844a. From your experience of the prohibitory law which you saw in operation here, and the present license law, which do you prefer?—I think the present license law is better in all respects than the prohibitory law, because there is a desire on the part of the community to have it carried out.

By Rev. Dr. McLeod:

3845a. What part of Massachusetts were you in?—Gardiner.

3846a. Do you know whether a State prohibitory law, prevailed at that time, or local option?—I do not know.

JUDGE McDONALD.—I have received a letter from the High Sheriff of the county, informing us that owing to a severe attack of neuralgia he is unable to appear before the Commission. He sends us some figures, which I will read, showing the jail statistics for the County of Oxford:—

Year.	Total commitments.	Drunk and disorderly.
1885	367	21
1886	296	28
1887	570	50
1888	448	64
1889	397	55
1890	230	51
1891	205	34
1892	150	24
1893	*167	38

*Up to the 30th September of the present year.

JOHN MORRISON, of Woodstock, on being duly sworn, deposed as follows:—

By Judge McDonald:

3847-48a. How long have you been Town Clerk?—About five months.

3849a. Are you engaged in any other occupation?—No.

3850a. Who was your predecessor?—Mr. George Eden, the present Treasurer. He resides in this town.

3851a. Were you officially brought into connection with the operations of the Scott Act?—I was not.

3852a. How long have you resided in Woodstock?—Twenty-four years. I was residing here when the Scott Act was in force.

3853a. What was your experience as to the working of it?—My observation was that it did not work very well.

3854a. Was liquor sold?—I think so.

3855a. Publicly?—Almost publicly, I would say.

3856a. In any of those places that had previously been licensed?—I think so, and other places besides.

3857a. What are called shebeens?—Exactly.

3858a. Do you know whether there was any sale by what are called walking saloons, men who carry liquor about on their persons and sell it?—I did not know anything of that.

3859a. From your observation of the working of the Scott Act and the license law, which do you think is preferable in the interest of the community?—The license law is better enforced.

3860a. While the Scott Act was in force did you ever see drunken men on the street?—Frequently.

3861a. Have you seen them under the license law?—Yes.

3862a. Then taking the two, was there apparently any difference?—My own opinion is that there were more drunken men on the street under the Scott Act than at the present time.

JAMES HAY.

3863a. Were you a supporter of the Scott Act?—No. I was not very strong either way.

3864a. Were you engaged in business before you became Town Clerk?—Yes, I was in the grocery business.

3865a. Were you yourself engaged at any time in the sale of liquor?—At one time I was a clerk in a grocery store that sold it, but not for myself.

3866a. Speaking as a business man who has been in business yourself, are the business interests of the community affected either one way or the other by the drink traffic—apart from that traffic itself?—I do not know, it might affect a few customers, those who are given to too much liquor.

3867a. Do you think, if the drink traffic were done away with, there would be some people who would be able to trade to a greater extent in groceries?—Yes.

3868a. Did you find that the business interests were better in this community while the Scott Act was in force?—No, I did not find that.

3869a. Do you think they were affected either one way or the other?—I do not know that they were.

3870a. Do you yourself favour a general prohibitory law for the whole Dominion, preventing the manufacture, importation and sale?—It is a matter to which I have not given much consideration. Of course, if it could be made a universal law, I do not see any objection to it.

3871a. You would not object to such a law, if it was passed for the whole Dominion?—No.

3872a. In such a case would you permit the importation or manufacture of liquor for sacramental, mechanical and medicinal purposes?—Yes.

3873a. For those purposes would you have liquor manufactured by private individuals or by the Government?—By the Government, I suppose.

3874a. By what authority would you seek to have the law itself enforced, by Dominion officials, Provincial officials, or the local officers in municipalities?—By Dominion officials.

3875a. It is stated that in case of the enactment of such a law there would be a loss in the revenue at once of some six or seven million dollars to the Dominion, and a loss to the Provincial revenues of some hundreds of thousands of dollars, and a loss to the local municipalities of the license fees. Now, in the case of the Dominion, how would you propose to make up the loss of six or seven million dollars?—That is a matter for the Finance Minister to consider; I have not studied the matter at all.

3876a. Have you studied it in the case of a Province or municipality?—No.

3877a. Do you know whether, at the time the Scott Act was in force, the municipality of Woodstock received a large income from fines?—I could not say.

3878a. In case of the enactment of a prohibitory law, would you favour remuneration to brewers and distillers for their plant and machinery rendered useless?—I have not studied that question.

By Mr. Clarke :

3879a. I understood you to say you were favourable to the adoption of a prohibitory law for the whole Dominion?—Yes.

3880a. Would you favour the re-enactment of the Scott Act, or any of these local prohibitory laws?—No.

3881a. Did you pay enough attention to the operation of the Scott Act to notice what its defects were?—No, I did not; it seemed to me that the officers were not able to enforce it. The majority of the public opinion in town here was opposed to it; that was one great reason for its failure.

3882a. Do you know anything about the operation elsewhere than in this town and county?—I do not.

By Judge McDonald :

3883a. Do you believe that the sentiment of the community has something to do with the enforcement of a law of that kind?—Yes.

3884a. You were called as Town Clerk, but you have been in office so short a time that I suppose you can hardly give us a comparative statement of the arrests during the Scott Act period and the subsequent license period?—No.

3885a. How long had Mr. Eden, the Treasurer, been in office?—Thirty years.

REV. JAMES S. ROSS, of Woodstock, on being duly sworn, deposed as follows:—

By Judge McDonald:

3886a. Of what Church are you a minister?—Of the Methodist Church.

3887a. How long have you resided in Woodstock?—This is the beginning of my third year. Before coming here, I resided in Hamilton.

3888a. Have you resided at any time in a section where a prohibitory law was in force?—Yes, I resided at Tilsonburg, in the County of Oxford, at the time the Scott Act was in force.

3889a. We have had placed before us a declaration in favour of prohibition passed by the General Conference of your Church at Montreal, in 1889. Do you personally concur in that?—Certainly.

3890a. What was your experience of the working of the prohibitory law at Tilsonburg?—I think drinking was reduced.

3891a. What is the population of Tilsonburg?—It was about 2,000 at that time.

3892a. Was there reason to believe that any sale of liquor was going on in that community?—I think it was stated that secret sales were going on.

3893a. Were they by persons who previously had been licensed?—The same parties.

3894a. Not by new people, what are called shebeens?—It was stated so. I asked the Chief of Police on purpose to find out, and he said he did not know of any. I did not know of any.

3895a. Did he know that any of these places that had previously been licensed, were selling?—Yes, he knew that.

3896a. Did he not try to stop it?—They were fined.

3897a. Did these offences become first, second and third, and did imprisonment follow the third offence?—No matter how often a man was fined, it was not known that he had ever been fined before.

3898a. Can you tell us how that system was carried out? Was it by the man only being charged with a first offence? In one county we have been in, we were told that when a man was summoned a second time, a tenant would appear, a man who had leased the bar?—Yes, that was one plan adopted. I think the principal reason was that the license Inspector only charged him with a first offence.

3899a. Do you know the reason of that?—I think he wanted to be sure of a fine, and did not want to hurt the man too much.

3900a. Do you know whether that was the state of the case: That if a man was known to have committed a first offence, he would, perhaps, plead guilty when he knew that he was going to be charged with a second or third offence?—I think when they once entered a case they wanted it to succeed, and a charge on a first offence is more likely to succeed than on a second.

3901a. Were there many pleas of guilty, acknowledging the first offence?—A few. At first they fought it right along.

3902a. Did it become to any extent in Tilsonburg, in the case of individuals who had been previously in the trade, a system of indirect license, the parties being fined occasionally?—No, because there was a good deal of liquor openly sold, or a good deal of liquor sold anyway, openly and secretly. But I do not think there was anything like the same quantity as had been sold previously.

3903a. What I am asking is whether the system of administering the law was such that virtually, by men being fined at intervals for a first offence, they were practically

JOHN MORRISON.

licensed? It cost them so much a year, and they kept up their trade?—I think they were more frightened about it than that would imply.

3904a. You do not think the officials lent themselves to anything of that kind?—I do not think they did.

3905a. In the town of Peterborough where we have been, the Chief of Police told us that he came there the last year the Scott Act was in force, and he received an intimation to get about \$400 a year from each of the men in the traffic in the way of fines, and in that way the town made up an indirect license fee. Was there anything of that kind in Tilsonburg?—Not to my knowledge.

3906a. You think that the Chief of Police and Inspector did their duty fairly well?—No, I would not say that about the Inspector.

3907a. What was the trouble with the Inspector?—He lived away at the other end of the county from Tilsonburg. He lived near Ingersoll, which was a great distance off. We did not have much confidence in him anyway.

3908a. You did not think he was favourable to the enforcement of the Act?—Nothing special.

3909a. Did you try to get another Inspector?—No, we did not.

3910a. Do you know what was done with the fines?—I suppose the fines from Tilsonburg used to go to the County Treasurer.

3911a. Tilsonburg has a representative in the County Council?—Yes.

3912a. Were you in Tilsonburg when it was under license?—For a few months.

3913a. As it was under license and under Scott Act, which did you believe preferable?—I found the Scott Act preferable. We had great crowds of people from time to time, on occasions of fairs and shows, when we would expect, under ordinary circumstances, to find howling men in the streets at night; and I remember distinctly going down town one night after a fair to see if there was anything of that kind, and I found the streets very quiet, and I attributed that to the Scott Act.

3914a. Now, you have lived in Woodstock under license?—Yes, a little over two years.

3915a. During that time have you had any fairs here, public gatherings?—Yes.

3916a. Have you found these howling crowds that you expected to find in Tilsonburg?—I did not happen to go down town those nights in Woodstock, but I did go down town purposely in Tilsonburg to find out the condition of affairs.

3917a. Had you found these howling crowds in Tilsonburg at times of fairs before the Scott Act?—No, I do not know that. I was not there long enough under the License Act to know that.

3918a. Then how do you know the Scott Act prevented howling crowds, if you did not know of any under the former system?—Because wherever I have lived under license at show and fair times, I expect howling crowds at night.

3919a. Now, as a minister of the Gospel and a gentleman, do you think it right to throw that imputation upon Tilsonburg, that previous to the Scott Act there were howling crowds at fair time, and that the Scott Act did away with those crowds?—I would have expected to find them under license.

3920a. Well, you have not found them in Woodstock, because you have not looked for them?—I have not looked for them.

3921a. Do you believe they exist here at fair time?—I believe there are drunken men.

3922a. Do you believe there are howling crowds?—I should expect to find them if I went down town.

3923a. We are told by the Mayor that this is a quiet, orderly and law abiding community, that it is a town of 9,000 inhabitants, and requires only two policemen, so far as I know, an unexampled state of things in this Province. Now, is that a sign of good order in the community, or otherwise?—I would say it is a sign of good order.

3924a. At any rate, in regard to Tilsonburg, you do not know whether the Scott Act did save the town from howling crowds upon fair times?—There were none in that particular instance. Otherwise, I speak from general knowledge.

3925a. Do you mean that in other counties where you have been you have seen these howling crowds at fair time, and you did not see any in Tilsonburg?—I always expect them under license.

3926a. As a pastor you are brought into contact with the people a good deal?—Yes.

3927a. Have you found a great deal of want in families caused by the drink traffic?—Certainly.

3928a. Misery and poverty of different kinds?—Yes, misery of all kinds.

3929a. I may state that the evils of drunkenness are not investigated by the Commission, because they are admitted by all. But owing to your relations with the people, and being brought into close contact with them, you are able to tell us whether you see a good deal of drunkenness in families caused by the liquor traffic?—I find it in the homes.

3930a. To what do you attribute the repeal of the Scott Act?—To the non-enforcement of the law by the officials.

3931a. Did the people get wearied of it, and disappointed?—The temperance people did not feel that it was their particular line of business to enforce it. They felt that they paid the officials to enforce it, but the officials did not do so.

3932a. We have understood that in this county the temperance people were really very energetic in trying to get it enforced. Is that your experience?—Where I was, I did work personally in trying to get it enforced and respected.

3933a. Do you think that having the sympathy of the officials is an element in the success of the Act?—Certainly.

3934a. Do you favour the enactment of a prohibitory measure for the whole Dominion, prohibiting the manufacture, importation and sale of liquor?—Yes.

3935a. I judge from what you stated that you concur in the views of the Methodist Church on this question?—Yes.

3936a. Would you admit the manufacture or importation of liquor for mechanical, sacramental or medicinal purposes?—In the church with which I am connected, we do not need it for sacramental purposes.

3937a. But you know there are others that do?—I know there are others that have conscientious convictions in favour of using it; therefore, for their sake, I would be willing to admit it for sacramental purposes and, if necessary, for mechanical purposes also.

3938a. In that case would you deem it better that the liquors necessary to be used should be manufactured by the Government or by private enterprise?—I would prefer that they should be manufactured by the Government.

3939a. To what authority would you commit the enforcement of a prohibitory law? To officials appointed by the Dominion, or by the Province, or to the local municipal authorities?—That is a hard question to answer, because we have had experience of the enforcement of the Scott Act by the Ontario officials, and I do not know that the Dominion would do any better.

3940a. Would you prefer that it should be enforced by the local authorities?—No, I would rather have it done by the Ontario or the Dominion Government.

3941a. Which would you prefer should appoint these officers, the Ontario or the Dominion Government?—Well, seeing that we have had experience of the enforcement of the Scott Act by the Ontario Government and that it has not been satisfactory, and as the other has not been tried, I would try the untried, and take the Dominion Government.

3942a. In case of the enactment of such a law, prohibiting the manufacture, importation and sale for the Dominion, would you deem it right that brewers and distillers should be compensated for their plant and machinery rendered useless?—No.

3943a. Have you had any experience of the working of a prohibitory law under the present Ontario system in small municipalities, the local option law?—I have not.

3944a. Have you seen the working of a prohibitory law in any other country?—No.

3945a. We are told that in case of the enactment of a prohibitory law, there would be a loss to the Dominion revenue of six or seven million dollars now derived from excise duty; and I think several hundred thousand dollars would be lost to the Provincial Treasury, and the municipalities would lose the license fee. Now, have you considered how that loss could be made up in the case of the Dominion?—We have generally under-

stood from the statements of leading Finance Ministers that that would not be a great difficulty. I saw a statement made the other day by the Hon. Mr. Foster, Finance Minister, that he had taken off sugar, \$3,500,000 last year. That is equal to one-half of the Dominion revenue from liquor, and the country has not suffered from the loss of that three millions and a-half; so I presume that the country could stand the loss of another three millions and a half, which would make a sum equal to the liquor revenue, or find out some other way of meeting it.

3946a. But there would be seven millions more taken off the revenue from the liquor traffic at one sweep, in addition to that taken off sugar?—The point I want to make is this, that if three millions and a-half has been taken off our revenue without seriously disarranging our financial affairs in the Dominion, another three millions and a-half might be taken off somewhere else without seriously disarranging our business, and some way could be found of making it good.

3947a. Supposing it were necessary to make that income good by direct taxation, would you favour that rather than not have a prohibitory law?—I would.

3948a. And you would say the same, I suppose, in Provincial and municipal matters?—I would, but not necessarily by direct taxation.

3949a. Of course, some people tell us that the people would have a great deal more money to pay with, but the question is, how would the Government get hold of that money?—The people would be in a position to buy more goods.

3950a. Are there any suggestions you yourself would like to make?—If the Commission would allow me, I would like to call your attention to the report of the Ontario Government on tavern and shop licenses, for 1887. On page 23 it will be found that in 1884, when Oxford county was entirely under license, and there was no part of a broken year, there were 51 persons committed to the county jail. In 1887, when Oxford was entirely under the Scott Act, and when there was a broken year, there was not a solitary prisoner committed to the Oxford county jail for drunkenness; and in the county of Oxford there were the villages of Embro, Norwich, and the towns of Woodstock, Tilsonburg and Ingersoll.

3951a. Have you the report of 1885?—Yes. The operation of the Scott Act began in Oxford in 1885, and in 1884, when it was totally under license, there were 51 persons committed to the county jail for drunkenness; while in 1887, when the whole county was under the Scott Act, there was not one person committed for drunkenness.

3952a. Just before you came in I read a return from the High Sheriff of this county, in which he states that in 1887 there were 50 committals for being drunk and disorderly in the county jail for this county?—That does not agree with the report of the Ontario Government.

By Mr. Clarke :

3953a. According to the return of the Sheriff there were more committals for drunkenness under the Scott Act in 1888, than there have been during the whole time since, up to the present year?—Well, I have here the printed document of the Ontario Government which says there were no committals in 1887.

By Judge McDonald :

3954a. On the other hand we have this return sent down by the Sheriff who is certainly in a position to know?—Mr. Bradley was not Sheriff at that time.

3955a. On the Government return you see a dotted line opposite Ontario county, for 1887. What do you think that means?—I understand that is because the Scott Act was in operation in Ontario county, and there were no arrests.

3956a. It strikes me that the dotted line means that there were no returns, or no return that they could have used, and that may be the case with Oxford County?—I know these figures have been quoted both in Canada and the United States, as showing the beneficial effects of the Scott Act in Oxford county.

By Mr. Clarke :

3957a. What conclusion would you come to regarding the operation of the Scott Act if the Sheriff's figures were correct?—Of course, if they are correct, it is a bad show-

ing. There is another point I would like to mention to show how the license law is being observed in Woodstock. I have before me a statement respecting certain bonds that purported to have been given in this town obliging those who gave the bonds to keep the license law. The facts are set forth in a letter to one of the newspapers of Woodstock, dated April 29th, 1892, which I will read.

By Judge McDonald :

3958a. The two clergymen who were desirous of having that law observed, got these men to undertake to observe it?—That was immediately before a vote was to be taken in town on the question of the reduction of the number of licenses. This was supposed to be done in order to affect the vote, but the vote of the people was in favour of a reduction of the number of licenses, notwithstanding.

By Rev. Dr. McLeod :

3959a. Was the number reduced?—It was not reduced, but the people voted for it.

3960a. Did the Commissioners exercise their discretion against the will of the majority?—In the first place, we asked the Council to reduce the number, and the Council refused to do so. Then we went to the License Commissioners and asked them to reduce the number and they also refused, though the people, by a popular vote, declared in favour of reducing the number.

By Judge McDonald :

3961a. The Town Council submitted a by-law, I suppose?—The Town Council submitted the question to the people whether there should be a by-law reducing the number, and the people voted in favour of reducing the number by a majority of, I think, 73. Then we went to the Council and asked them to reduce the number, but they declined to do so. Afterwards we went to the License Commissioners and asked them to reduce it, and they declined to do so. We have had no reduction.

By Rev. Dr. McLeod :

3962a. Did they urge any reason for non-reduction?—Owing to cowardice, I think.

3963a. They were afraid of the licensees?—Afraid of the liquor interest.

By Mr. Clarke :

3964a. Do you call it cowardice when they declined to accede to the wishes of the majority as shown in the vote?—They refused to accede to the wishes of the majority, evidently, in my opinion, fearing the liquor party more than the temperance party.

By Rev. Dr. McLeod :

3965a. These men who signed the document you have just read, were the licensed dealers of the town?—Yes, the whole of them, fourteen hotel-keepers and three shop-keepers.

3966a. We are to understand from that then, that prior to that time they had been violating the law steadily?—That is what I understand.

3967a. Did any of them violate the law afterwards?—Yes.

3968a. Were they convicted of violation?—Yes.

3969a. Did they pay the bond?—No, there were no bonds paid that I know of.

3970a. But they came under a bond of \$200?—They agreed to come under a bond, but as this hotel-keeper says, it was never exacted.

3971a. Was anyone of those who executed the bond, convicted of violation afterwards?—I am not so sure about that.

3972a. Have you anyway of knowing whether the licensees of the town now observe the provisions of the law?—I do not think they do. For instance, some months ago there was a boy about sixteen years of age staggering through the streets here on Sunday. I do not think that is keeping the law.

By Judge McDonald :

3973a. Do you know where he got his liquor?—I do not.

REV. JAS. S. ROSS.

3974a. Whether he bought it himself or got it from another person?—I do not know.

3975a. We are told sometimes that older people go in and get it and give it to Indians and boys?—That is what they say.

3976a. Are there Indians about here?—I do not know. There may be some scattered here and there.

By Rev. Dr. McLeod :

3977a. Having lived in a number of places, some under a license law and others under the Scott Act, you have doubtless made a comparison of the two systems. Now, what impression does that comparison make upon your mind?—I would prefer the Scott Act to an ordinary License Act.

3978a. Your observation is that disorders are more general under license than under the Scott Act?—Yes, from what observation I make.

3979a. You were asked the question as to the effect upon home life of the drink traffic and the drink habit. Do you know any other one thing that causes so large a degree of misery in homes and so much neglect of children, and so much neglect of religion as the drink habit?—I do not know any other one cause.

3980a. Do you understand, from your knowledge of the people, that the repeal of the Scott Act was the expression of the people's dissatisfaction with prohibition?—I did not so understand it. It was disgust with the lax enforcement of the partial prohibition in the Scott Act.

3981a. Do you think that lax enforcement was largely attributable to the indifference or antagonism of the officials?—Yes.

By Mr. Clarke :

3982a. Was the attention of the authorities drawn to the lax enforcement of the law by the officials?—The way that we attempted to enforce the law showed that we had hard work to get part of the officials to take hold of it. For instance, letters would be written to the License Inspector, and hardly any attention paid to them. Finally private individuals, myself among the number, took hold of the matter and tried to get the law enforced.

3983a. Was the attention of the authorities drawn to the fact that the Inspector was not able, living so far away from Tilsonburg, to administer the law?—All the temperance people I was acquainted with had not sufficient confidence in the License Inspector to operate through him to any extent.

3984a. Did they express their want of confidence in him in any way?—It was privately known between ourselves that things were not being done properly, but we could not expect anything better.

3985a. You said the population of Tilsonburg was about 2,000. How many policemen did you have?—Only one, and some night watchmen, I think, on special calls.

3986a. What place have you in your mind when you make a comparison of the condition of affairs under license with the condition of affairs under the Scott Act?—No particular place, only I have lived here in this country all my life.

3987a. Have you lived in a place where the Scott Act was in force several years, and afterwards in the same place under a license?—I only lived in Tilsonburg two years.

3988a. You never lived in any place where the Scott Act was in force, and afterwards the license act?—No, not during both regimes.

3989a. Regarding these first offences, we are not clear on that yet. Would it not have been a more effective way of punishing the liquor sellers if second and third offences had been entered against them?—If I had the doing of it I would enter the second and third offences, but the officials seemed to shy off from that way of doing it. What the reason was I do not know. I can only gather from human nature what their reason was.

By Judge McDonald :

3990a. Did you inquire of this boy who was drunk on Sunday, where he got his liquor?—I did not. In visiting one of my parishoners I heard a lady say : It was terri-

ble to see a boy passing my door yesterday afternoon reeling drunk, about fifteen or sixteen years of age. That is all I know about it. I did not see him myself.

3991a. Do you know whether any effort was made to find out where he got liquor?—No. It was two days afterwards when I was told about it. I did not know the boy's name, and I do not know that the lady knew the boy's name.

GEORGE EDEN, of Woodstock, on being duly sworn, deposed as follows:—

By Judge McDonald:

3992a. How long have you resided in Woodstock?—A great number of years.

3993a. How long have you held the position of Town Treasurer?—Since May last.

3994a. Who was your predecessor?—Mr. Hood, now deceased.

3995a. You have control of the books of the town?—Yes.

3996a. Were you residing here while the Scott Act was in force?—Yes. I was Town Clerk at the time. I have been Town Clerk since 1880.

3997a. Were you also clerk of the Police Court?—No. The Police Magistrate acts as his own clerk.

3998a. Is Woodstock separate from the county?—No.

3999a. So that the Scott Act fines from the town went into the County Treasury?—Yes.

4000a. Speaking as a citizen, how did you find the Scott Act carried out?—I do not think it was carried out very well.

4001a. Was liquor sold to any extent?—Yes, no doubt about it.

4002a. In many places?—I think probably more than there were under the license act.

4003a. Then there must have been some places in which it was sold which had not sold under the license act?—Yes, new people.

4004a. Do you know whether there was any sale by men carrying it about their persons?—I do not think they needed to do that. There was very little attention paid to the Scott Act here, particularly the last year or two. The bars were open the same as they are now—very little difference.

4005a. Were there many people fined?—I have a record of the fines from 1885 upwards, as follows:—

Year.	Amount of fines.
1885.....	\$1,250
1886.....	1,252
1887.....	1,803
1888.....	1,671
1889.....	1,228
1890.....	1,780
1891.....	1,640
1892.....	1,598
1893.....	1,823

The present year, of course, is only up to date. These fines came to the Town Treasurer for all offences.

4006a. Then the Scott Act fines went to the County Treasurer?—I imagine so.

REV. JAS. S. ROSS.

4007a. Can you tell us the amount of money the municipality receives from license fees?—I have the table from 1889, since repeal.

Year.	Received for License fees.
1889.....	\$2,340
1890.....	2,710
1891.....	2,906
1892.....	2,648
1893.....	2,903

By Rev. Dr. McLeod:

4008a. As Town Clerk for so many years, have you a record of arrests for drunkenness?—No.

4009a. Comparing the present state of things with that under the Scott Act, which is preferable, in your opinion?—I think decidedly the present system is the more preferable.

4010a. Do you know anything about the enforcement of the law in the rural parts of the county?—I do not.

4011a. Why do you consider the license system preferable?—In the first place, there are not as many places selling liquor as there were under the Scott Act. I am certain of that.

4012a. Is there more liquor sold now?—I do not know about that. I do not suppose there is much difference.

4013a. How many were there selling under the Scott Act?—That would be very hard to say. All the present hotels were selling, and a good lot, I suppose, outside of them. In fact, there was one place right across the road here during the Scott Act, and it closed up since the Scott Act was repealed. It was a saloon right opposite the Police Court.

4014a. An open saloon?—Perfectly open. On Saturdays they were streaming in and out there all day.

4015a. Was an attempt made to interfere with it?—He may have been fined; I think possibly he was once.

By Mr. Clarke:

4016a. Were the police less diligent in arresting people who were drunk and disorderly during the Scott Act period, than before or since?—I do not think there was any difference.

4017a. Did they discharge their duties then just the same as at present?—Just about the same.

4018a. In 1887, according to the return of the Sheriff, there were 570 committals to the county jail, as compared with 230 in 1890, less than one-half. The number of drunk and disorderlies committed in 1887 was 50, as compared with 51 in 1890. Would that indicate that just about a similar condition of things, as regards drunks and disorderlies, exists now as there was then?—I think about the same.

FRANCIS R. BALL, of Woodstock, on being duly sworn, deposed as follows :—

By Judge McDonald :

4019a. How long have you been Crown Attorney for the County of Oxford ?—Since 1863.

4020a. As such you have conducted the local criminal business of the County ?—Yes, and most of the assize business.

4021a. At the request of the Police Magistrate, in criminal cases you attend the Police Court ?—I do when there are any important matters.

4022a. Taking the cases you are called upon to prosecute as County Crown Attorney, do you find that any proportion of them may be attributed to intemperate habits on the part of the people charged ?—My experience has been this: I have been in the county since 1860, that small offences, such as assaults, originate very often in drinking, but the more serious crimes, as a rule, do not. It is almost exclusively the others.

4023a. Taking the more serious crimes of which you speak, are the men who commit them generally of intemperate habits ?—I think not; certainly not when they commit the crime.

4024a. Do you find cases of this kind occurring, that people under the influence of drink, or wanting to get drink, will commit some petty larceny in order to get money to buy drink ?—That has not come under my observation.

4025a. Did you reside here during the time the Scott Act was in force ?—I did.

4026a. As a citizen, did you observe how it was carried out ?—Well, I was never in the taverns, although I am constantly in town. I know that the Inspector endeavoured to do his duty as well as it was possible for him to do it. I know I tried to prosecute everybody I found guilty, and I know the Police Magistrate is an extreme teetotaller, and certainly convicted every time he had an opportunity of doing so, and I think everything was done that was possible. But there was very little assistance rendered by the temperance people. Occasionally an anonymous letter would give us information that sometimes we could act upon and sometimes we could not.

4027a. Where did the Inspector reside ?—Here for the North Riding, and one at Galt for the South Riding. I am speaking more especially for the North Riding, I had very little to do with the South.

4028a. Did this official attend to his duty ?—I have not the slightest doubt about that.

4029a. Notwithstanding the fact that you did not get aid from the temperance people, was the law efficiently carried out ?—Well, no. What I mean to say is, that I believe there was more liquor drank and more sold during the Scott Act than during the corresponding years either before or since.

4030a. Now, if the officials carried out the law, to what do you attribute its failure ?—First of all, I think the people were entirely opposed to the law, that is the majority of them. Then the people who bought the liquor would not inform unless as the result of a quarrel. I am satisfied there was more drunkenness on the streets in those times than there has ever been before or since—I have not the slightest hesitation in saying that; and I attribute that to the fact that the liquor sellers dared not refuse to sell to their old customers. If a man went into a place he would insist upon getting what he chose to drink. They had no control over him, they dared not refuse it to him.

4031a. In cases that were tried under the Act did you find perjury to any extent ?—I believe there was more perjury and fraud committed during those three years than during the forty years I have been in the county. I have not the slightest hesitation in saying that.

4032a. Did you ever prosecute cases where men were charged with breaking the license law ?—Certainly I did, for the North Riding.

4033a. Did you find much perjury in those cases ?—Some, at least that was the impression I derived from the evidence I heard.

4034a. Did you find perjury to the same extent as in Scott Act cases ?—No, I think not. As a rule, the evidence of the offence is pretty clear, and it is not very often that the men themselves will deny it, although they do occasionally.

FRANCIS R. BALL.

4035a. Do you find that, in regard to breaking the prohibitory clauses of the license act, there is a stronger sentiment in the community against it than there was against Scott Act offences?—Very much more. During the Scott Act we had two or three serious riots here.

4036a. How did they occur?—From fellows coming in from a distance, going round and professing to get liquor at almost every tavern in town, and then laying information. There were two or three very serious disturbances. Some of the people I prosecuted, those I could get hold of. It was a very serious unpleasantness.

4037a. Was there a feeling against these men?—There was a feeling against the informers and that led to the disturbance.

4038a. Were the persons who made this disturbance punished?—Yes, I prosecuted a lot of them and had them fined, all I could lay my hands on, at least enough to make an example of. I did not take up everybody, but I think I prosecuted five or six of them on each occasion.

4039a. Would you favour the enactment of a prohibitory law for the whole Dominion?—I do not believe it is possible to carry out any prohibitory law; I do not believe the results would be good. People take extreme views on temperance, and attribute almost all the evils in the country to intemperance. My experience is that there is not a great deal of drinking here. I believe there was more drinking when I came here in 1850, with a population of 1,200, than there is to-day with 9,000 or 10,000. I have not the slightest hesitation in saying that.

4040a. We have been told that in Woodstock there are only two policemen?—That is all. It is very seldom indeed you see a drunken person on the streets. During the Scott Act period I saw a great many, not only men, but two or three respectable looking women drunk, a thing I had never seen since I have lived here. I do not believe, taking the whole country round, that there is a more orderly and sober lot of people than you will find in this town. Of course, the farmers that come in here Saturday will drink a glass or two of beer, but nothing to hurt them. I have seen very little drunkenness indeed.

4041a. It has been stated that when the Scott Act was in force there was a place apparently opposite the Police Court where liquor was sold?—I heard that. I have been past the place.

4042a. Was the man ever convicted?—He was not supposed to sell anything but temperance drinks, but I daresay he sold liquor, although I do not know it. We never could catch him—at least if he was caught he was fined, but I do not recollect whether he was caught or not.

4043a. Did you find that almost all the fines under the Scott Act were fines for what are called first offences?—I know that invariably we laid the charge as a second offence when it was so, and the third offence the same. I think in one case I allowed a third offence to be withdrawn, and only one.

4044a. Were there many imprisoned here?—Yes. One man told me he was imprisoned here and fined \$750 at the time of the Scott Act, a man down in Blenheim.

By Rev. Dr. McLeod:

4045a. Did he keep on selling?—He gave up after that.

4046a. The Scott Act then prohibited him?—It did prohibit him until the man had nothing left.

4047a. Has he a license now?—Yes, he is a decent fellow.

4048a. The Scott Act did drive him out of the business?—It prevented him from selling.

4049a. And the license law re-established him and he flourishes, I suppose?—He does not do much flourishing. He keeps out in a small village.

4050a. Do you think the license law is pretty well observed?—I think, on the whole, it is, and I think there is very little drinking on Sunday, scarcely any. I have directed the Inspector and others to watch for drinking on Sunday, and I think in the towns the Sunday law is extremely well observed. I wanted to find out whether the reports were true that were circulated by extreme temperance people that there was a great deal of Sunday drinking, and I called the attention of the Inspector to it, and I

know that every exertion has been made to detect them if possible. Of course, the Inspector has great difficulty in enforcing the law because he is well known, and without the assistance of people outside, both of the police and of the Inspector, it is utterly impossible to enforce such a law; because the police are well known, the Inspector is well known, and it is an extraordinary thing if he can catch them in the very act. He must depend upon the information that he receives from outside, and if people will not give that, then it is impossible to enforce the law.

4051a. Sometimes it is contended that when licenses are granted the license holders are on their honour and are more likely to observe the principles of the License Act than they would a prohibitory law when they would have no license?—I will say this for the licensees of this county, that as a whole they are a very respectable body of men and try to keep the law very fairly.

4052a. About those riots you have spoken of, could you give us a little more information about the parties who were concerned in them?—There was a gang of fellows, I think, that came down from London on the first occasion, and they laid information and swore to the facts before the Police Magistrate. They were driven up to the office of the lawyer who was acting for the temperance association at the time, and privately kept there. I went down in the afternoon, and there was a crowd of two or three hundred people gathered along the street here. I observed the two tavern keepers who were complained of, and upon my remonstrating with them, I think they went up and insisted that the crowd should disperse, and they dispersed, and the thing was ended in five minutes.

4053a. Was the riot under the control of the tavern keepers?—There were two tavern keepers who were no doubt ring-leaders, although they were standing there perfectly quiet. I saw that they were at the head of it, and I told them pretty plainly I would not put up with it and would not have breaches of the peace, and the crowd dispersed and followed the men down to the railway. A lot of the people I had arrested and fined at the assizes afterwards.

4054a. It would be fair, then, to infer that since the tavern keepers had sufficient authority over the mob to disperse it at your suggestion, the mob was in the interest of those tavern keepers?—I told the mob I would have them arrested if they did not dissolve.

4055a. As a man of large experience, would you attribute that to the Scott Act, or to the defiant disposition of the tavern keepers and their followers?—That is a difficult question to answer. The mass of the people of this town were very much opposed to the law from beginning to end, and there had been more or less of that going on, respectable people who had shop licenses and tavern licenses being fined on the evidence of these informers, evidence that, I confess myself, I would not believe. If I had been sitting as Magistrate, they would not have been fined.

4056a. You spoke about perjury. Do you hold the law responsible for the perjury?—Men of that class come here in the hope of getting a portion of the fine, or of being rewarded by the temperance association and under these circumstances one is very suspicious of a man who will undertake, merely for the sake of a reward, to do a thing that they would not dare to do otherwise. It is my opinion that men who come down here to make money by laying information, are not men whom one is very much inclined to believe under oath.

4057a. But we have heard in other places that a great deal of perjury was committed in the interest of those charged with violation of the law, by persons who declared that they had not bought any liquors?—I believe that, too.

4058a. Do you hold the law responsible for that?—That is a deduction you must make out for yourself. You must not ask me for a deduction on oath. I have not the slightest hesitation in saying that there was a large amount of perjury on both sides, people trying to evade the charges made, and others trying to fasten them, sometimes stating truly, and sometimes stating, I think, what was utterly untrue in order to secure a conviction. I believe there was more perjury, more disturbance, more breaches of the law and more fraud in selling liquor during those three years, than have taken place during the whole of the rest of the forty years that I have been in the county.

FRANCIS R. BALL.

4059a. Is that one reason why you would have the law repealed, because there was so much perjury?—There are other reasons. I do not think it is possible to enforce practically a sumptuary law of that kind. The result would be constant breaches of the law, and teaching the people to disregard laws of more importance. Another thing, I believe that if it was impossible for people to get liquor, they would take to various other things, such as laudanum and chloral, and all sort of things to satisfy their appetite. In this town I do not know more than eight or ten persons who drink to excess, that you can call drunkards. My own notion of a temperance law would be to make the manufacture, importation and sale of ardent spirits a Government monopoly, and not allow them to be sold at all except by the Government.

4060a. That is the Gothenburg system?—I do not propose to go that far. I would make a depot at only one place in the Province, and if a man wanted liquor he would have the price of all the qualities stuck up in the post office, and he could get an order book from the Government in which he could state the quantity and the quality of the liquor, and send his money by post office order.

4061a. You would not let every man purchase?—I would not allow any man to sell.

4062a. Is that not a sort of class legislation? Would it not enable a man who has means to send away and get a quantity, while it would practically prohibit the poor man from buying?—I would allow beer, native wines and cider to be sold at taverns, and manufactured under Government inspection, not to contain over a certain amount of alcohol. The result of that, in my opinion, would be to do away with drunkenness altogether, or practically.

4063a. Then you really object to the liquor traffic as it is carried on?—Yes, I do, although I think we have about as good a license law as we can possibly get.

4064a. You have said that you think the license law is very well observed here. Have there been many prosecutions for violations of the license law?—Quite a number.

4065a. Have any holders of shop licenses been prosecuted for selling by the glass?—Not since the Scott Act.

4066a. While the license law has been very well observed, there have been, nevertheless, a number of prosecutions for violations of the law:—Yes, some tavern keepers.

4067a. Are we to understand, then, that those men who violated the Scott Act when no licenses were granted, now that they have permission to sell six days in a week under a license, and within certain hours, violate the law as to the other hours and as to the seventh day?—A number have been prosecuted for selling after hours on Saturday night, but I do not remember any case of Sunday selling, although there may have been.

4068a. Have any of these been charged more than once with violations of the law?—Yes, a few of them. Prosecutions, I think, have averaged forty-five a quarter.

4069a. Do your prosecutions include all the actual offences?—I cannot answer that.

4070a. Do you believe there are fourteen actual hotels in the town of Woodstock?—I think they have all got the accommodations required by the law, although there are two or three of them that ought to be done away with, and I myself voted for a reduction of the number for the very purpose of getting those out of the way.

4071a. We are told that though the people have voted by a majority to have the number of licenses reduced, they have not been reduced?—The Town Council took strong action against it. The question was really brought up at the last election—and a regular temperance ticket was brought out, but of course they were defeated.

4072a. But the popular vote taken since was in favour of reducing the number of licenses?—That was the year before. The object was to reduce the number by three or four, and it was with the view of getting the licenses taken away from these people that I myself, like many others, voted for the reduction.

4073a. You are an old man now, you have been an observant man, I have no doubt, a good many years; will you tell us whether you have observed that the liquor traffic through all these years has had any injurious effect upon the social conditions, and the moral, and upon the industrial interests of the community?—Well, as I have said, there are perhaps eight or ten persons in town who drink to excess, of course their families necessarily suffer in consequence. My experience is that in nine cases out of ten you will find that a drunkard is either an old countryman or the son of an old countryman, and not a Canadian.

By Judge McDonald :

4074a. In case of the passage of a prohibitory law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—I think it would be an atrocious thing to take away their property without some remuneration, and I believe it would ruin the country if we attempted to pay them. We are between the devil and the deep sea. Take this town, for instance. Probably the money invested in houses and in furniture for taverns, would not be less than \$80,000, or \$100,000. Is the town to pay that?

By Mr. Clarke :

4075a. Suppose the licenses were cut off, would the town pay compensation?—My own notion is that there should be license to sell beer and native wines not exceeding a certain percentage of alcohol, and I would do away with the sale of malt liquors and ardent spirits.

4076a. You would favour facilities for the sale of light wines and beer in preference to strong liquors?—Yes, with just enough alcohol to preserve them. My notion is that a man could not very well make himself drunk on these light drinks.

W. G. MCKAY, of Woodstock, License Inspector, North Riding of Oxford, on being duly sworn, deposed as follows:—

By Judge McDonald :

4077a. Where do you reside?—In Woodstock. I have resided here for about forty-one years.

4078a. How long have you been Inspector?—Since the Crooks Act came into force. I was Inspector during the Scott Act regime.

4079a. Did you hear Mr. Ball give his evidence?—I did.

4080a. He says he believes you did your utmost to carry out that Act. Do you confirm his statement?—I say under oath that I did my utmost.

4081a. Did you find difficulties in your way?—Very many.

4082a. State what they were?—I did not have the sympathy of the people as I would like to have had it, to assist me in enforcing the Act. I made several seizures in hotels, and got convictions under those seizures. I have with me the number of the convictions under the Scott Act, which I will read.

Year.	Prosecutions.	Convictions.
1886-87	47	26
1887-88	109	60
1888-89	81	40

The amounts derived from fines in each year respectively were, \$1,500, \$3,750, \$2,550.

4083a. Was this money paid over to the County Treasurer?—These moneys were paid over by the Police Magistrate, Mr. Kilburn, who was Police Magistrate for the North Riding.

4084a. He was not only Police Magistrate for the town?—He was for the town and for the county.

4085a. Is he Police Magistrate for the town now?—No. Dr. Field is the Police Magistrate now, but Mr. Kilburn was Police Magistrate for the town under the Scott Act. These moneys did not go through my hands, they went into the treasury.

4086a. Under the Order in Council which gave the fines to the municipalities?—Yes.

FRANCIS R. BALL

4087a. Did you find it difficult to obtain information under which to lay prosecutions?—Yes, I did. I used all the means and stratagem in my power to enforce the Act, but I found it very difficult. However, I succeeded in a measure.

4088a. Was there a body of persons, either a committee or otherwise, who gave you information?—There were some of the temperance people to whom I was very much obliged. One or two of them assisted me a good deal.

4089a. We have been told that the sale of liquor in Woodstock during that time was quite open?—It was not very open. Of course, the bars were open and they were selling through the night; and on several occasions when I found out that they had whisky, I made a raid and seized the whisky if I could find it. In some cases where I prosecuted, the evidence was not reliable, although I believe myself there was a great deal of perjury and false swearing in connection with the evidence.

4090a. This opinion you had formed from listening to the evidence?—Yes.

4091a. We have been told that there was a place almost opposite the Police Court itself?—There was.

4092a. Did you try to get that place closed up?—He was fined three times

4093a. Was he fined for a third offence?—For a third offence.

4094a. And sent to jail?—No. He was fined for a second offence, and then he left the place.

4095a. He was fined three times, and two of those were first offences, and one a second offence?—That was it, then he gave it up.

4096a. Did you find this difficulty, that when you had a man fined and closed up the place, some new person would spring up in the same place to carry on the business?—I found it so in the rural districts, not in the towns.

4097a. In the town, were the persons against whom you had cases, generally those who had previously been licensed?—Yes.

4098a. Were there any new people at all in the town?—Oh, yes.

4099a. That had not held a license before?—Yes, there were some.

4100a. Did you find that there prevailed in this county a system of leases being given?—I did. When a man had been fined once and was summoned again, he would lease his bar to some other person. That was in the rural districts, but nothing occurred in the town like that.

4101a. Were there people in the town of Woodstock who were fined from time to time, and who still kept on selling?—Yes.

4102a. How did you find the state of public sentiment in regard to aiding to enforce the law?—I did not find it very favourable.

4103a. Did you find the state of public sentiment as favourable toward the enforcement of that law as it is in regard to the license law?—No.

4104a. Did you find that public sentiment would favour you in enforcing the license law to a greater extent than enforcing the Scott Act?—Far more.

4105a. How do you find the license law observed?—I find it pretty well observed. I have with me a statement of the number of convictions.

4106a. Just read it, if you please.

Year.*	Prosecutions.	Convictions.	Fines Collected.
1880-81.....	7	7	\$160
1881-82.....	7	6	160
1882-83.....	10	9	195
1883-84.....	24	17	355
1884-85.....	14	11	220
1888.....	14	13	355
1889-90.....	17	9	360
1890-91.....	19	12	600
1891-92.....	21	14	520
1892-93.....	20	16	330
1893-94.....	9	8

The year commences on the 1st of August of each year.

4107a. Are the figures for the towns?—Not alone. I cannot tell you exactly; I did not take the town municipalities. These are for the North Riding.

4108a. At the time the Scott Act was in force, you had the North Riding just as you have now the south district?—Yes.

4109a. Can you tell us what the difficulties were in the villages and rural districts?—In one of the outside villages I found the difficulty you suggested a few moments ago about the leasing of bars. I had the original hotel keeper hauled up several times, and he made a lease over to another party. Then I had him up two or three times, and he swore himself clean through. At last I made a raid and found liquor and had him convicted, and he gave it up.

4110a. Was that the one that Mr. Hall told us about who was fined so often?—No. There was one man in this town who was fined very often under the Scott Act, and at last he ran away.

4111a. Did he leave any fines in arrears?—Yes, and they never could be collected.

4112a. In rural districts was there any trouble with men carrying liquor about and selling it?—I heard of no such cases.

4113a. Do you favour, yourself, the passing of a general prohibitory law for the Dominion?—I would indeed if it could be enforced; but if it is going to work the same as the Scott Act did, I would be very much opposed to it.

4114a. To what do you attribute the failure of the Scott Act?—At the time I thought that it was on account of the majority of the people being opposed to it.

4115a. But a large majority of the people voted in favour of it?—There was a large majority for it in the first place, but there was a big majority against it when it was repealed.

4116a. There was a majority of 775 in the county for it when it was passed. Do you mean to say that the people who voted for it satisfied themselves with voting, and did not aid you any afterwards in carrying it out?—I do not know.

4117a. After the sentiment of the county had manifested itself in putting the law upon the Statute-book, do you mean to say that the sentiment of the people was against the enforcement of the law?—Well, it seemed to me during the first year of the Act that they would rather have a license system, and therefore they did not trouble themselves to give information to try to enforce it.

4118a. Did that same state of things continue during the three years?—Yes.

4119a. To what do you attribute the repeal of the Act?—Just to what I have said, that the people were sick of it, as it were, and did not sympathize with the Act. There was a good deal of drinking going on during those three years, more than now.

4120a. In case of the enactment of a general prohibitory law for the Dominion, to whom would you entrust the enforcement of it, to Dominion officials, or to the Provincial, or to the local officials?—I do not think it would be wise to have the local authorities enforce it.

4121a. You do not think it would be well to have the Town Council enforce it for the town?—I do not.

4122a. Would you have it enforced by the Provincial officers or the Dominion officers?—I would not like to say. I am under the Provincial Government now, and it would be natural for me to say that I would prefer the Provincial Government. But so far as I am concerned, I am not particular which Government enforce it, if it is passed.

4123a. But you would hope for a better enforcement of it than you had of the Scott Act?—I would, indeed.

4124a. Why?—Because if liquor was not manufactured at all, it would not be so easy to get it.

4125a. You think that by prohibiting the manufacture you could get rid of it easier and prevent its being brought in?—Yes.

4126a. In case of the enactment of such a law, would you favour the importation of liquor for mechanical, medicinal and sacramental purposes?—I do not know what is required for medicinal purposes. I never used any of it in my life. So far as sacramental purposes are concerned, I believe the church I belong to would favour prohibition.

W. G. MCKAY.

4127a. I suppose you know there are other communions that take a different view?
—There are.

4128a. How would you legislate in regard to that question, then?—I am one of those who would just as lief take home made wine as any other wine for sacramental purposes.

4129a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery that would be rendered useless?—I would consider it a hard matter if the brewers and distillers, who have thousands of dollars invested in property like that, were not remunerated in some way.

4130a. From your observation, comparing the license law and the Scott Act, under which system was there the most drunkenness?—I think there was more under the Scott Act—I certainly think so.

By Rev. Dr. McLeod :

4131a. I think you said that the Scott Act did drive out the man that kept a drink shop across the way here?—That is my impression, and it drove out another man in town here.

By Mr. Clarke :

4132a. What time in the history of the Act was this man driven out?—I cannot remember the year.

4133a. Was it the first, or second, or third year?—I rather think it was the second year. I am not very sure about it.

By Rev. Dr. McLeod :

4134a. You say it drove out another man?—Yes.

4135a. So it did demonstrate its power somewhat, then?—Yes. I made a seizure in his place, and he was very wild and threatened this and that. It cost him, I am told by some of the lawyers in town, over eleven hundred dollars in fines and in defending prosecutions against him during the Scott Act period.

4136a. You said you did not get very much help in enforcing the Scott Act. Who helps you in enforcing the license law?—The Chief of Police here assists me. I know this much, that last fall I came to town here pretty late, and I went to a certain hotel, went right through it, and found the bar closed. I made my way to the east end of the town and met a hotel-keeper a little this side of his house, and he said: "Ah, I heard you were coming, so you need not come any further." I just turned on my heel and came back home that night. I found they had telephoned to one another. They had men to watch the movements of the Chief and myself.

4137a. Did the Chief of Police help you to enforce the Scott Act?—He was not here at the time.

4138a. Did the then Chief help you?—We had a man named Smith, but he was no use, he was too fond of it himself,

4139a. Would you therefore attribute the failure of the Scott Act to the fact that he was of no use?—I would to a very large extent.

4140a. So that something must be charged to the inefficiency of an official?—Yes, there is no doubt at all about that.

4141a. You stated that the temperance people generally did not give you much help in enforcing the law?—There was a party in town here that did all they could to assist me.

4142a. But I think you said there are more who are ready to give help in enforcing the license law?—I think there are.

4143a. What classes of people are they?—They are the temperance people.

4144a. Do the licensees themselves ever give you any help against other licensees who break the law?—No, that would not do.

4145a. Do the licensees ever give you any information, or help to enforce the law against illicit sellers?—Well, some years ago they did, but to my knowledge at present I do not know that there are any illicit sellers in town.

4146a. Have there been any unlicensed persons fined within the last year?—Yes, there was one woman fined. She was hauled up, and lawyer McKay came into the police office and told the Police Magistrate that the woman desired him to plead guilty on her behalf. I had three charges against her, and the lawyer did plead guilty on her behalf. The case was appealed and went to *certiorari*, and she had evidence and affidavits before the courts that she never authorized McKay to plead guilty on her behalf. A man by the name of Lappin, was fined out in the country.

4147a. So there has been more than one unlicensed person fined since last year?—Yes.

4148a. Have these two persons been fined more than once?—Lappin was hauled up before; when he was hauled up the second time, he left the country.

4149a. So that you forced him out?—I forced him out.

4150a. Was he a resident or a stranger?—He was a resident in the vicinity where he lived, about seven miles from here.

4151a. Was the Scott Act better enforced outside Woodstock than in the town?—I do not think it was.

4152a. Of course you are Inspector for a very large district, and it is not possible for any one man to keep an eye on the whole riding?—I cannot do it.

4153a. Is there a brewery in this county?—There is one in this town.

4154a. Was that in existence during the Scott Act period?—No, I think not. I think it was in existence prior to the Scott Act.

4155a. Did the Scott Act shut it up?—I do not know what shut it up, but it was shut up.

4156a. Well, it did shut up during the Scott Act period?—That is my recollection now.

4157a. Would that be because he could not find a market for his product?—I do not know why. I know that the proprietor, Mr. Collins, died. Whether that would be the means of the closing of the brewery, I do not know.

4158a. But since the license law came into operation again, the brewery sprung into being and went on with its work—A year or two ago I was authorized by the Government to make him pay a license, and I got a license fee out of him of \$250.

By Mr. Clarke:

4159a. How many years ago was that after the repeal of the Scott Act?—It was two years ago, I think.

By Rev. Dr. McLeod:

4160a. Was it two years ago that you were directed by the Government to collect a license fee?—One year ago.

4161a. How long had he been running?—He just began the spring before that, I think.

4162a. You remained in Woodstock during the time of the Scott Act?—I did.

4163a. Of course you were on the ground here most of the time?—I was.

4164a. And you made every reasonable effort to enforce the law here?—I certainly did.

4165a. Now, regarding the rural part of your district?—We held our courts out at Plattsville, twenty miles from here. The Magistrate lived in that village, and if I had a case in that direction, I would have to go there. That is the reason why my district was changed.

4166a. Was the condition of things under the Scott Act any better in the rural districts than at present under the license?—I do not think so, that is my candid opinion.

4167a. Was the condition of things as good and as favourable to morality and temperance under the Scott Act as at present under license?—I could not say as to the moral condition; but I know this much, for instance, the people of Tavistock, up here on the line between Oxford and Perth, and those living five or six miles back in the County of Oxford, would go up to Perth and get their liquor and bring it home in quantity.
W. G. MCKAY.

tities to their houses, because they could not get it in that shape in the North Riding of Oxford. Therefore, I think, that on the whole, the condition of affairs was not as good as it is under the license system.

4168a. But the sale was not in Oxford?—It was in Perth.

By Mr. Clarke :

4169a. Because they could not procure it near at home they went off and got it in large quantities and took it into their families?—That is what I have been told.

By Judge McDonald :

4170a. Do you know of any country where a law preventing the manufacture, importation and sale of intoxicating liquors is in force?—I do not.

DAVID R. ROSS, of Embro, Oxford County, on being duly sworn, deposed as follows :—

By Judge McDonald :

4171a. Will you tell us your residence and your business?—I reside in the village of Embro, in the North riding of Oxford; and I have been a License Commissioner for three years.

4172a. Were you License Commissioner under the Scott Act?—Yes.

4173a. What is your business occupation?—Miller and farmer.

4174a. Will tell us how you found the Scott Act carried out in the section where you reside?—The Act was passed by a considerable majority in our section, and for six months it was fairly well enforced. But there were so many things in the way that it soon came to be less well enforced.

4175a. Did you find that at first in that section there was an opinion on the part of the people that the sale of liquor must be given up?—That was the expectation.

4176a. Then did you find that the sale commenced and became more open?—There was no sale at all at first. It began this way. Just north of our township was the county of Perth, and the town village of Tavistock was close by. Under the Act it appears that druggists could sell, and the impression got out that the druggists were actually selling in quantities for drinking purposes. It also became notorious that no attention was paid to the law in the town of Woodstock where the sale was quite open, and all these things had an influence.

4177a. Woodstock is really the central point in the county for people to come on business?—It is where all our county business is done. For ten miles away the people all come here very often.

4178a. From what you saw of the Scott Act and the subsequent license law, which do you think is preferable in the interests of the community?—Well, had the Scott Act been carried out as it was for the first twelve months, there is no comparison at all. I would prefer the Scott Act as it was at first.

4179a. But taking the Scott Act as it was carried out, and taking the license law as it is now carried on, which would you prefer?—We found that the Scott Act, after it was amended, could be carried out to the satisfaction of those who wished to see it in force. But after a time it fell into disrepute, and the people who were in favour of it at first, either voted for repeal or did not vote at all.

4180a. Did you support it in the first instance?—Yes.

4181a. Did you at the end?—Yes, our municipality gave a majority in favour of it at the end, and I voted to sustain it. I am in favour of prohibition on principle.

4182a. Would you favour a law that would prohibit the manufacture, importation and sale of liquor altogether except for medicinal, mechanical and sacramental purposes?—I would favour prohibiting liquor as a beverage.

4183a. Do you know any country where such a law is in force?—No, I am not very well versed in the laws of other countries.

4184a. In case such a law were passed, would you favour remuneration to brewers and distillers for their plant and machinery which would be rendered useless?—I do not know very much about brewers, we do not have any; and as for distillers, I think they are in a position that they do not need much compensation.

4185a. You would just let them stand the loss?—In my own business, if our machinery becomes useless, we get no remuneration.

4186a. Supposing there was a law passed to-morrow saying that your mill must be closed up, and if your machinery was rendered useless by that legislation, would you deem it right that the community which passed such a law should pay you for your machinery?—It did actually occur in my case; the public patronage was transferred from one class of milling to another, and the machinery I had was useless.

4187a. How did that occur?—Public opinion, the people actually left me.

4188a. Very well, that was your own act?—It was their act.

4189a. In case of the enactment of a prohibitory law for the whole Dominion, to whom would you give the enforcement of it, to Dominion, Provincial or municipal officers?—I am under the impression that the Government which enacted the law had better provide the officials.

4190a. And pay them, I suppose?—A man must be paid for anything he does.

4191a. Would you have the Dominion pay them or the municipalities?—I do not know about that.

4192a. In case of the enactment of such a law, have you considered how the revenue would be made up to the Dominion, the Provinces and the municipalities?—I am quite willing to pay my share of direct taxation to get rid of the liquor traffic.

4193a. You think it would be better to take that course and get rid of it, than have it remain?—Yes, because we suffer more direct loss from the liquor traffic than we would from direct taxation.

4194a. Is there much poverty in the section where you reside?—Not much. Most of the poor people we have, it is through the effects of the liquor traffic.

4195a. Have you many of these?—Not very many.

4196a. As a License Commissioner, I suppose you are called upon to administer the law granting licenses?—Yes.

4197a. Do you find it a difficult position to occupy?—No, it is quite easy.

4198a. Have you no trouble at all in deciding between rival applicants for licenses?—There are few applications now, they are getting less all the time.

4199a. Is it the same men from year to year who apply for licenses?—No, there are a good many changes, new men coming in.

4200a. Have you any municipalities under the new Ontario prohibitory Act?—Yes, there are two townships in South Oxford.

4201a. Do you know anything of the working of the law there?—I cannot say. In the township in which I live there were half a dozen licenses a few years ago, now there is only one. That is the township of West Zorra.

By Mr. Clarke :

4202a. I think you stated that for the first six months the Scott Act was well enforced?—Yes.

4203a. What caused the enforcement to drop off?—People going to other towns to get liquor, also the bad repute in which it was held in the town of Woodstock, which was the centre of the county, and where everybody goes. It was found of no use to enforce the law.

4204a. In your own district it was well enforced until the people found that it was not enforced in other parts of the county, and then they dropped off?—About that.

4205a. The Inspector lives here—did you hear his statement a few minutes ago?—Yes. He described the general impression at the time.

DAVID R. ROSS.

By Rev. Dr. McLeod :

4206a. And the fact that you were adjacent to a license community, had some effect upon the enforcement of the Act?—Yes, it had some. There were London, Stratford and Tavistock, where people could get liquor.

By Mr. Clarke :

4207a. How near is Woodstock to the county boundary of Oxford?—It is about fifteen miles from here to the Perth line. Tavistock is directly north from here fourteen or fifteen miles.

4208a. Would the proximity of Woodstock to some other county where there was a license law in force, have anything to do with the non-enforcement of the law here?—I do not think so, it is too far away; but the very fact that there were two wholesale licenses here, shows the absurdity of our attempting to carry it out.

By Rev. Dr. McLeod :

4209a. And besides, the druggists could sell?—I cannot say much about the druggists, there were two wholesale licenses granted in this town.

4210a. We were told to-day that the people of Woodstock voted to reduce the number of licenses here, and the City Council refused to do so, and the Board of Commissioners refused to do so. As you are a License Commissioner, perhaps you can give us an explanation?—I used every effort to have the views of the town carried out.

4211a. How many members are there on the Board?—Three, and I found the other members of the Board were not in sympathy. The fact is, they were not in sympathy with restriction at all.

4212a. The people said they wanted the number of licenses reduced, but the majority of the License Board thought otherwise?—At that time the Board was not in favour of restriction.

4213a. Has the Board changed since then?—Both the sentiment and the *personnel* have changed. I think they are now in accord with public opinion. At any rate, at our last issue of licenses we passed a resolution that if the same Board were in power next year, the number of licenses would be reduced in this town.

4214a. The reduction is likely to take place?—Certainly, with the same Board, because I know the sentiment of the Board now is that not only should licenses be reduced in Woodstock, but in the rural districts also. If the same Board are re-appointed, I think that will be done.

4215a. Do you think the establishment of licensed places throughout the country districts, has a good effect on those districts?—Decidedly the other way. There is no district in the township where I live where a hotel can get a license now. In the village of Kintore an effort was made to get a license last year, and the man could not get the requisite number of signers, there had been a large petition against it. The year before last, in another village, an effort was made to get a license, but the man could not get the required number of signers.

4216a. No new man can get a license?—The old houses are endured. There was only one license in West Zorra, and a petition was sent in to the Commissioners this last spring to have it done away with, but the petition was not as largely signed as we thought it ought to be. The hotel is close to a school house, and we found for some reason or other that the majority of the people in that section did not sign the petition. Of course, I learned the reason afterwards, private reason.

By Judge McDonald :

4217a. Was it an old established hotel?—Yes, the man that keeps it, keeps it efficiently.

By Rev. Dr. McLeod :

4218a. It is more difficult to remove an old established hotel than it is to deal with an applicant for a new license?—A new licensee cannot get in at all in the rural districts out that way, the people do not want them.

4219a. Have you observed the effect of the drink traffic on the condition of the people generally through your section. Is it good or bad?—It is that bad that I am quite willing to pay, indeed I offered to pay, half the license fee of our village to the Council if they would do away with the license, and another man here would pay the other half, merely on financial grounds.

4220a. You think that financially it is a detriment to the community?—Yes, I know it is to me.

4221a. I should think so, when you are willing to make up half the receipts from the license fee?—We had our village fair one day last week, and the next day two of my men did not show up. They got the worse for liquor, and were not able to work. One of them was a very important man to my business.

REV. J. C. FARTHING, of Woodstock, Clerk in Holy Orders, on being duly sworn, deposed as follows:—

By Judge McDonald:

4222a. How long have you resided here?—Five years last June.

4223a. Was the Scott Act in force when you came here?—Yes.

4224a. How did you find it observed?—There was hardly any perceptible observance of it at all.

4225a. Have you heard the statement made here by other witnesses this afternoon as to the condition of things in the district?—I have.

4226a. Do you concur with them?—I concur with the statement that the Scott Act was a lamentable failure in the town of Woodstock, in my judgement.

4227a. Which do you prefer, the Scott Act or a license law?—The license law to day is better enforced.

4228a. There was a document read here this afternoon concerning a meeting held by you and Rev. Mr. Brady, in the vestry of your church, with a view to try and get the Sunday law observed?—I heard it.

4229a. I would like to hear your statement concerning that meeting?—The object of the meeting was to get them to observe the Saturday night provision as well as Sunday closing.

4230a. Had there been trouble about Saturday night selling?—We felt that there had been a good deal of trouble about Sunday observance, especially.

4231a. The effort was one put forward in the interest of temperance?—Entirely so.

4232a. As a clergyman, you come in contact, of course, with people of all classes. Do you find that there is much poverty and distress caused from intemperance in this community?—A good deal, but I do not consider it is at all a drinking community; in fact it is the most sober community I have ever had the good fortune to live in so far.

4233a. It will compare favourably with any other community?—I think so.

4234a. Would you favour the enactment of a prohibitory law for the Dominion?—I would not.

4235a. The question has been raised, in case such a law were passed, of making an exception in favour of liquors for medicinal and sacramental purposes. In the Church of England, I believe the rule is that the wine must be fermented when it is used for the sacrament of the Lord's Supper?—Yes.

4236a. So far as that communion is concerned, then, a law that would prevent the importation or manufacture of wine for that purpose, would be infringing upon the religious principles of adherents of that church?—Certainly.

4237a. In case such a law were enacted, would you deem it right that remuneration should be made to brewers and distillers for the loss of their plant and machinery that would be rendered useless?—I should think if the Government licenses a business and makes it legal, if they afterwards took away that business, they should certainly com-

DAVID R. ROSS.

pensate the men who suffer the loss. It seems to me an act of common justice. If the business was not licensed now, it would not be necessary to make compensation, in my judgment.

4238a. Have you any suggestions yourself to make as to whether any additional restrictions should be put upon the liquor traffic?—Well, I think the bar trade is a great injury to any community.

4239a. What you call a saloon?—Yes. The bar trade of ordinary saloons and hotels, I think, is a great evil, because it encourages men to drink, to stand the treat, as the expression is, which they would not otherwise do. I would favour anything that would curtail the bar trade. I do not consider it necessary in the community, in fact I think it is there that the evil is done.

4240a. You think the treating customs are injurious?—I do. But I think that during the last few years temperance education has made wonderful strides. If we take the applications for licenses themselves, they show that the trade is not as profitable as it was, and the social drinking customs of private houses have wonderfully improved. I can remember in my own short experience that the social drinking customs have entirely changed, so much so that now oneseldom sees wine used in private entertainments, in this town at all events; and I think it is so in most places. It is the exception where they use liquor in these social gatherings. I think that temperance education is going on in the community, and is likely to increase the temperance sentiment. The evils of intemperance are certainly getting less every year. In my judgment, a prohibition law would not be enforced, judging from our experience with the Scott Act. Then again, I think that it is taking away the Christian liberty of a man. I do not think anybody has a right to take away from a man his liberty, to say what he shall eat or drink. I speak as a total abstainer of some years. I have a right to use my liberty to give it up, and I do not think any man has a right to take from me the liberty of drinking what I wish. That is the view I take of the question of prohibition.

By Rev. Dr. McLeod :

4241a. Reference has been made to an attempt to induce the licensees to regard the Saturday night and Sabbath provisions of the law. Can you tell us how it was apparent that the Saturday night and Sunday features of the law were disregarded?—Well, I suppose, in the results. For instance, I saw a man intoxicated in the streets last Sunday afternoon as I was coming to my church, and I am quite sure it could not have been from the drink he had on Saturday night.

4242a. Then would you conclude that even now, notwithstanding the attempt to observe the law, they are disregarding it?—To a certain extent I think the law is disregarded, but not to any great extent. In some places it seems to be disregarded, because one sees men coming out of them wiping their moustache; I presume they had not been into the hotel to get water.

4243a. The question is as to whether the licensees observe the provisions of the license law?—I think in some cases they do, in others they do not.

4244a. Do you think they very generally observe it?—Well, I only know of three hotels—at least I suppose they are hotels at the present time—that violate it. I may be mistaken.

4245a. You suspect them from the signs?—People going in and out on Sundays, as I happen to be passing.

4246a. As a pastor coming in contact with many families, have you observed whether the drink habit is responsible for any degree of wretchedness in homes, neglect of children and neglect of religion?—There is no doubt, that where a man is addicted to drink, there inevitably follows wretchedness in the home and consequent neglect, not only of his religious duties, but of his parental duties.

4247a. Is there any other one thing which has come under your notice as a pastor, which is responsible for so large a degree of those deplorable things?—Most certainly, I should say that is observable; but I think that a good many things cause a man to drink, and the drink is the observable cause of the wretchedness that follows. But there is very often a cause of the drinking, which has gone before, and which is not observable by the unthinking. For instance, many a man drinks because he is lazy, if he was not

a lazy man he would not be a drinking man. But a man starts to drink and loafs around, but he was a loafer before he started drinking, and in this way he learned the habit of drinking. We must go back further, to find the first cause. At other times worry in the family will cause a man to drink. There is generally some traceable cause which drives a man to drinking, and drink is the observable cause of the misery which follows.

4248a. You think then that in a good many cases drinking is the result of some other cause?—In some cases, no doubt.

4249a. Do you believe that to enforce prohibition of the drink traffic in intoxicating beverages would benefit the country at large. I am speaking of enforced prohibition now, not nominal prohibition?—Of course if the law was not violated in any regard, and it could be so enforced as to not be violated in any particular, no doubt it would prevent the evils of drink. But in my judgment, a law that would not be enforced entirely, would be worse for the community than the present licensing system with all its evil, which we all admit; because it would create a contempt for law. The consequence would be that men who feel there is no moral wrong in violating one law, would come to feel that there was no moral wrong in violating another.

4250a. I suppose you do not require absolute enforcement, because there is no absolute enforcement of any law, not even of the Divine law?—Of course, if it were absolutely enforced so as to prevent the manufacture and sale of drink, there is no question that you would stop the evil of drink. But in my judgment you could not do that; you could not prevent private families from distilling liquor for their own use. There is no doubt means would be discovered by which liquor could be manufactured in private houses, which I do not think any law could prevent.

4251a. Do you believe that laws against evils have any effect in shaping public opinion and strengthening public opinion against those evils?—What sort of evils do you mean?

4252a. I mean, for instance, evils that are produced by the drink habit, or any other class of evil?—Well, that is assuming that taking a glass of wine is in itself an evil, which I would dispute.

4253a. No, I would not put it on that ground?—Then drink would not be an evil, the evil would be in the abuse of drink. But the law of prohibition says that drink itself is evil.

4254a. Prohibition is a prohibition of the traffic in intoxicants for beverage purposes?—It practically makes the drinking of wine or of any distilled or fermented liquor, a crime, whether it is done in the home or in public; because if you consume a thing you must buy it, and you must make it; and I understand a prohibition law is intended not only to prevent the sale but also the manufacture.

4255a. Do you think it would be well if all Christians observed that law which enjoins us to refrain even from what we regard as legitimate, for the sake of our weaker brother?—Certainly I would advocate that, and do advocate it regularly, and practice it.

4256a. Do you think then it would be well to have a law enacted that would help people to observe that Christian law in the interest of those who do suffer by the established drink traffic?—That is a prohibition law you mean?

4257a. Yes?—I do not see that it gives you any degree of liberty in the matter, because you take away from them their liberty at once. You make the use of liberty a one sided thing.

4258a. But they are unwilling to exercise their Christian liberty—if you like to talk of Christian liberty—in the interest of their weaker brethren. Would it be well in that case to have a law to force them to do it?—I do not think so. I have not so read the Scriptures, if you put it on Scriptural ground.

4259a. That is not really within the range of our investigation, but your line of thought suggested the question to me. The question I asked was whether laws against acknowledged evils have any effect in creating and strengthening public opinion against those evils?—They no doubt have, if they are founded on a sound moral basis; but to found a law on the assumption that it is a sin for a man to drink a glass of wine, would be, to my mind, of very doubtful wisdom.

REV. J. C. FARTHING.

4259½a. Excuse me, but if I understand the prohibitionist's idea, a prohibitory law is not based upon that assumption, but is based rather upon the belief that the drink traffic as it exists is productive of very widespread and lamentable evils?—There is no doubt of that.

4260a. Do you think then, that a law to reduce and to prevent those evils has any effect on the public heart in strengthening them against those evils?—I should think that a law that would be against the conscience or the convictions of a large minority, would have a tendency to stir up that minority to opposition against the law, and rather increase their liking for the evil aimed at. I think that is human nature.

By Mr. Clarke :

4261a. In your judgment what are the best means to adopt to minimize the evil effects which flow from excessive use of liquor? Do you consider a prohibitory law would be the best means?—As I said before, I do not think a prohibitory law would prevent secret distillation, or the manufacture of wine, which, in my judgment, would be a far worse evil than if it were done in the open and under the restraint of proper authorities. But I think that curtailing the bar trade is the great remedy for the present evil, and if possible, to do away with the bar trade altogether. That is quite a different thing from people having their drink at meal times in hotels, where they take their dinners, etc. It is this habit of stepping into bars and drinking and treating, that should certainly be stopped.

By Rev. Dr. McLeod :

4262a. Distillation, unauthorized and unlicensed, is permitted now in private families, and I presume no prohibitory law would interfere with a family distilling for its own use exclusively?—I think the evil would be still greater on that account.

4263a. You think there would be an increase of private distillation?—It seems to me that if there was the secret manufacture of drink and everything was done on the sly, there would be a certain amount of sinfulness about it, because people are naturally inclined to be a little hypocritical anyway; and an indulgence in customs and practices that are condemned by a majority of public opinion, would have a very bad effect on the characters of the people.

4264a. Then that leads me to ask you another question. Would not that be shaping public opinion?—It would be shaping it externally, but I think every effort to repress what is not wrong in itself, tends to manufacture hypocrites.

By Judge McDonald :

4265a. Have you established a Church of England Temperance Society?—No, but I was connected with it in England.

4266a. Do you approve of its principle?—Entirely. I take the ground of the Church of England Temperance Society in temperance work.

4267a. There is a dual pledge for total abstainers and non-abstainers?—Yes.

By Mr. Clarke :

4268a. Do you know of any country in the world where a law is in force prohibiting the importation, manufacture and sale of liquor?—I have never lived in such a place.

4269a. Did you ever hear of such a place?—I have read of Maine and the Maine law.

4270a. The importation of liquor for domestic uses is not prohibited in Maine?—I did not know that. I thought it was.

Commission adjourned.

WOODSTOCK, ONTARIO, October 10th, 1893.

The Royal Commission met in the Town Hall at 10 o'clock a.m.

Present:

JUDGE McDONALD. MR. E. F. CLARKE. REV. DR. MCLEOD:

DENIS W. KARN, of Woodstock, Organ and Piano Manufacturer, on being duly sworn, deposed as follows:—

By Judge McDonald:

4271a. How long have you resided in Woodstock?—Twenty-one years.

4272a. How long have you been engaged in the manufacture of pianos here?—Twenty-one years.

4273a. Were you a supporter of the Scott Act when it was passed in this county?—I voted for it.

4274a. Did you as a citizen observe the operation of that Act when it was in force?—To a certain extent I did, as it came under my notice. For a portion of the time I was Mayor.

4275a. How did you find it worked?—At first it worked admirably, so much so, in fact, that a number of commercial travellers called upon me and complained bitterly because they could not get a glass of beer in town.

4276a. Did you find that there seemed to be at first an idea in the minds of the people that the law having come into force, they must observe it?—That was the general understanding. They said: The law has been carried by a large majority, and we accept the position and make the best of it, and we will observe the law.

4277a. Then, how do you account for the change? Was the change gradual?—It came about, I think in this way, that after several prosecutions had been taken in different places where the Scott Act had been adopted the convictions were appealed to higher courts, and in some cases were quashed. They were in litigation during this time, and people began to be discouraged as to the enforcement of it. It seemed that the machinery was not sufficient to enforce the law.

4278a. How long did that last?—Throughout the whole period, in this county. There were several appeals, and there were some in other counties that had adopted the Act; it was in litigation.

4279a. How long did that state of litigation continue?—It took some time to determine some of the points. In some cases the convictions were quashed.

4280a. Did that last as long as a year?—I am not prepared to say.

4281a. Then when these points of law had been settled, how do you account for the condition of things in the latter part of the period?—As I remember at the present time, there seemed to be some conflict of jurisdiction on some points between the Provincial Government and the Dominion Government.

4282a. Do you remember what that conflict was?—I do not, for I have not thought of it since. But it struck me, at the time the Act was in force, that there really were weak points in it, and that the machinery was not proper to enforce it.

4283a. Was not that in the early days of the Act?—It may have been.

4284a. Do you know that during the continuance of the Act, after it had been in force some time, the Provincial Government appointed a Board of License Commissioners who were to issue druggists' licenses, and along with the Inspector to look after the enforcement of the Scott Act. Do you know the Inspector?—I know him.

4285a. Had you an opportunity to observe the manner in which he discharged his duties?—Not personally.

DENIS W. KARN.

4286a. Did you hear the Inspector give his evidence yesterday, and state that he had performed his duty faithfully?—Yes, I heard of it.

4287a. You have no reason to doubt the truth of what he states?—I am not prepared to express an opinion upon it at all.

4288a. Either one way or the other?—No.

4289a. He tells us that he did his very best to enforce the law. Then apart from these local difficulties you speak of, is there any other reason why the Act was not a success in this section to the extent you hoped for?—Well, as I have already stated, as it started out it was certainly a great improvement. I had some 200 men all the time in my employ, and from my personal observation I know it had a good effect; even at its worst, it was no worse than it is at the present time.

4290a. I suppose you hoped more from it than you got from it. The question I asked was whether there was any other reason why the Act was not a success than the reason you had mentioned?—I am not prepared to say any more than I have already expressed on that point.

4291a. When you voted for it and helped to bring it into force, did you not expect better results from it than you got?—To be sure we did expect better results, but the law was not observed.

4292a. Do you think that the state of public sentiment in this community had anything to do with the law not being as successful as you hoped for?—No, I do not think so.

4293a. We were told yesterday by Mr. Ross, a License Commissioner from Embro, that in Woodstock the Act was laughed at?—Just so.

4294a. Now, was that a state of sentiment favourable to the law being a success?—I do not think the fact that it was laughed at here expressed in any way the public sentiment in the town, because a great many people who had favoured it did not feel that it was their duty to take the enforcement of the Act upon themselves, as there were officials paid to look after it.

4295a. Then how do you account for the repeal when a majority of over 700 in its favour was turned into a majority of 1,900 against it?—I look upon it in this way, that people who were favourable to it became thoroughly discouraged at the non-enforcement of it; therefore, they took no particular interest in opposing the repeal. In fact I know plenty of people who supported it strongly, who did not even vote against repeal.

4296a. You have told us of the benefit you found from the Act with the large number of men in your employ; and those men also experienced a benefit, I presume?—Yes.

4297a. Would not the benefit be found elsewhere? Would it be confined, for instance, to your establishment, or to any other one? Would not that benefit be experienced by the people at large?—Our men knew that it is a rule that we do not allow the use of intoxicating liquors to excess, because it interferes with their work, and I have no doubt that had its effect upon the men.

4298a. We understand that, but when these beneficial results had come of which you have spoken, why did not the community rise to the support of the Act and prevent its being repealed?—Really, I do not know, except from the fact that they had got thoroughly disgusted with the enforcement of it. I do not know on what other grounds to explain it.

4299a. But when you found it so satisfactory in its results, and if other people found it satisfactory, how could they have become disgusted?—I can say that I found it very satisfactory at the commencement.

4300a. I think you said it was beneficial even when it was not enforced?—That is my opinion. I do not think there was anything like the amount of liquor drank at the worst under the Scott Act, that there is at present, in the town as a whole, because the liquor sellers knew that if they sold it openly they would be prosecuted; therefore, it was done secretly.

4301a. We have been told that there were several places in Woodstock in which liquor was sold during the continuance of the Act?—I presume there was liquor sold.

4302a. Have you any doubt about it?—I have no doubt that there was liquor sold.

4303a. Have you ever seen drunken men on the street during the Scott Act?—I have seen some, but more under the License Act. I have seen greater exhibitions of drunkenness under the License Act than I ever saw under the Scott Act. But other people may have seen things otherwise.

4304a. Then you think that the reason of the change of sentiment that led to the repeal of the Act, was the fact of its not being satisfactorily enforced?—Just so.

4305a. To what do you attribute the non-enforcement, aside from the legal difficulties you have mentioned?—Well, there are certain things that I would not care to express.

4306a. Well, passing from that point—you yourself employ, I think, some 200 men?—Yes.

4307a. Have you found the drink traffic injurious to the men in your employ?—Very much so.

4308a. Have you men in your employment whose work depend upon the work of another man that the latter's absence would interfere with the work of others?—I will give you an instance. I had a superintendent for 11 years, in fact he was the brightest man I ever had in the factory. He had charge of the whole factory under my supervision, and I was compelled at the end of 11 years to discharge him, simply from drink. He had to do with all the men, and it became so that the better class of men paid no attention to him, and the men who were inclined to drink to excess took advantage of the weakness of this man and abused it.

4309a. So you had to part with him?—I had to part with him.

4310a. Have you any rules as to your employees being total abstainers?—Not at all.

4311a. What you require is that they shall be sober?—Yes, sober men, competent to do their work. When I say sober, I do not mean a man who does not use liquor at all, but he must be able to do his work. We do not inquire into their private habits so long as they faithfully discharge their duty. I may also say that I have been compelled at various times to discharge some of the best workmen I have ever had, for the same reason.

4312a. Have you cases in which men working on the same plane, as it were, are so mingled that one man's work may depend upon another's, and if one is absent through drunkenness, or does not do his work well from the consequence of drinking, others are thrown off their work for the time being?—We have men who would not drink of themselves, but being drawn away to drink through a companion, they actually draw others away with them. That has frequently occurred.

4313a. Have you noticed any cases among your men, whose families suffer from poverty and want through the drinking habits of the head of the family?—There are some cases, two or three of those men I have spoken of, who receive very large salaries, and who have a great deal more money than the ordinary workmen.

4314a. Have you much poverty in Woodstock?—Not what I would call extreme poverty, we have it to be sure. We have several cases depending upon the charity of the people.

4315a. Can you trace the poverty of these people, directly or indirectly, to indulgence in intoxicating drinks?—A large percentage.

4316a. Do you yourself favour the passing of a prohibitory law for the whole Dominion, preventing the manufacture, importation and sale?—If public sentiment was sufficiently strong at the back of it to carry it out, I certainly would favour it.

4317a. In such a case would you favour the importation or manufacture of liquor for medicinal, mechanical and sacramental purposes?—I would not object to that.

4318a. You would permit that?—Yes.

4319a. In your own business do you require to use alcohol at all?—Nothing except methylated spirits.

4320a. That suggests another question, where the manufacture became necessary for the purposes I have mentioned, would you have it carried on by the Government or by private individuals?—By the Government I should say.

4321a. The Government have taken charge of methylated spirits?—Yes.

DENIS W. KARN.

4322a. In case of the enactment of such a law, would you favour remuneration to brewers and distillers for their plant and machinery rendered useless?—Well, I do not know what claim they could have any more than men engaged in many other kinds of business that are sometimes destroyed by changes in the tariff. For instance, I have built up my business largely under the National Policy, and if the Government should see fit to wipe that policy away, I do not know why I should not get a grant in compensation as well as the brewers and the distillers.

4323a. The brewers and distillers of whom I speak, I understand, have to get a yearly license like others, and they have to conform with the rules of their licenses?—As a matter of general business they enter upon it and have to take the chances the same as the rest of us in our business.

4324a. You spoke of the success of such a law depending upon a public sentiment at its back sufficient to enforce it. How would you have that sentiment expressed?—We never can expect to have a unanimous opinion. For instance, in the matter I have referred to, there is a large minority who do not believe in the National Policy, but still it is the law of the country and is enforced on the people. In the same way with prohibition. Wherever we go we are prohibited from certain things, and I believe if we had a sufficiently strong public sentiment at its back, the prohibition of the liquor traffic could be enforced.

4325a. Do you know any country in which such a system as you speak of is in force?—I am not very well posted, but it strikes me that there are some small places where such a system is in force.

4326a. There was one country suggested to us, I believe in the Maritime Provinces, that is, the Fiji Islands, as having such a system, but of course we have not been there; that is taking us too far away, and we have no opportunity of investigating affairs there. In all the sections of country we have visited where a prohibitory law has been in force, it has been customary to allow people to import liquor for their private use. Now in case of the enactment of such a law, preventing the manufacture, importation and sale, would you have that law carried to such an extent as would prevent families importing it for their own use?—I do not think there would be any difficulty on that score. If private families see fit to make their home made wines or cider, as long as they are for family use, I should say they should not be interfered with.

4327a. What you mean is legislation that would do away with the public traffic?—Exactly, doing away with the public traffic. I believe it would be for the best interests of the country.

4328a. Would you carry this law to such an extent as to prevent importation for private use? For instance, you allow a family to make their own wine; would you prevent that same family from sending somewhere else to get in a supply?—I think we should have to draw the line somewhere.

4329a. Have you any suggestions you could make to us now that you think would be of value in connection with this inquiry?—As I say, I have not given any thought with regard to the working out of a prohibitory law in these details.

4330a. You find, I suppose, that it is a question about which a man may think a great deal?—I had my mind fully occupied with other things.

By Rev. Dr. McLeod:

4331a. Have you noticed whether the establishment of a saloon in any locality affects the value of the adjoining property?—We have not got a saloon in our town. They are not allowed. We have got taverns. I should say, in fact I know, that any property, that is to say a valuable property, if a saloon or a tavern were located opposite, would certainly decrease in value, it must.

4332a. We have been told that there is very good order in this town, and it has been attributed somewhat, if not largely, to the license system and the faithfulness with which it is enforced. Do you know whether anything else contributes to the good order of Woodstock besides the license system?—I attribute it more to the public sentiment of the people, I mean the large number of people who want to see law and order observed, and who would oppose anything that was unbecoming. I attribute good order to that more than anything else.

4333a. Do you think the employers of labour here, by their strict rules concerning drink and drunkenness, have anything to do with it?—If a man has any regard for his position, or his engagement as a workman, he must certainly be influenced by those rules, because our men know that if they violate these rules to any degree, and become unfit for work, they would necessarily be discharged, and would have to seek elsewhere for employment.

4334a. The Mayor, who is a manufacturer of furniture, has told us about the habits of his men in that regard, and I presume your experience is about the same with your men. Now, do not these rules of employers requiring strict habits of temperance on the part of them men, have an effect in keeping good order in the towns?—They must have a very great effect in that direction.

4335a. You were Mayor at one time, I believe?—Yes.

4336a. As Mayor, I suppose you had to look after the enforcement of certain town by-laws, and sometimes public sentiment, perhaps, was not expressed very strongly in favour of them?—Just so.

4337a. Did that make any difference about their enforcement?—Not at all.

4338a. Why I ask the question is to bring out the fact, if it be a fact, that if an official is disposed to enforce the law, he is not dependent very largely upon public sentiment?—Not at all. If it is the law, why, he takes his stand upon it. Here he can enforce it without any difficulty.

4339a. You spoke about the indifferent enforcement of the Scott Act. Do you think if any other law was subject to the same indifferent enforcement that the Scott Act was, that it would be laughed at in the same way that some people laugh at the Scott Act?—It is like certain laws that we have now. There are some laws now on the statute-book that are never enforced. We have many town by-laws that are not always strictly enforced to the letter.

4340a. Do you attribute repeal to the indifferent enforcement of the Act?—Yes.

4341a. And you attribute the indifferent enforcement of the Act to certain vexatious litigation, and perhaps to the indifference of the officials sometimes?—Well, that is my private opinion, that is all.

4342a. We were told something about a brewery that existed here prior to the Scott Act, and that during the Scott Act it ceased to operate, and that it came into existence again since the repeal of the Scott Act and flourishes now. Can you tell us anything about that brewery?—I do not know much about it. I know there was one, but what business they are doing now I really do not know. I know that immediately after the repeal of the Scott Act, it was taken hold of by other parties, and was re-established and is doing business.

4343a. Do you think the existence of the Scott Act closed it?—That is what the parties that had it told me; they said the passing of the Scott Act closed the brewery. It was closed for some two or three years.

4344a. You told us about a superintendent whom, after eleven years service, you had to discharge on account of his drinking habits. Was he a drinking man to the same extent at the beginning as at the end of those eleven years.—No.

4345a. The point is raised sometimes that it is only the excessive drinker that loses his wage-earning power and becomes in any degree a detriment to his employer. The case of your superintendent shows that a man may begin in a very moderate way and come by and by to be less valuable to his employer?—I look upon the matter in this way: There are men so constituted that they cannot drink in moderation, they cannot restrain themselves. There are other men who can set limits to their drinking and keep within them. I am sorry to say there are more of the former class than of the latter.

4346a. Do you find that the drink habit lessens the wage-earning power of workingmen?—Decidedly. When you get a man who only works three or four days in a week, and is off the other two or three days, his wages are that much less.

4347a. Are you able to say approximately about what proportion of the time the average working man will lose on account of his drinking habits?—Well, I can only speak from experience of the men that I have had to deal with when I was compelled to be there. There have been times in my business when I could not possibly do without

DENIS W. KARN.

these men, I could not replace them, they were skilled workmen, and they had to be up in their business. I may speak especially of tuners who require to have a good deal of experience, and I have been compelled to keep them, although they lost a great deal of time. I would say that during the twelve months there would be at least a loss of two months time, at the lowest estimate.

4348a. That was not only a loss to themselves, but it was a decided hindrance to your business?—I have lost hundreds of dollars simply through that class of man not being able to fill orders at the time.

4349a. Speaking in a general way, what would you say is the effect of the drink traffic as it exists, and the drink habit, upon the social conditions and the morals of the people, and upon the business interests of the community?—I think it is a generally understood thing that it is only bad. In fact, a very large percentage of all the crime we have to deal with, comes directly or indirectly from the drinking customs, if we are to depend upon the statistics that are furnished us. Taking that to be the case, I think the only conclusion that any fair-minded man can come to, is that the use of liquors to excess in any way at all only produces wretchedness and misery in homes, as well as to the persons addicted to it.

4350a. The business side of this question is the one that weighs most with a great many men. Now, as a business man, carrying on very extensive operations extending all over the country, what do you think would be the effect on business, of the national prohibition of the liquor traffic, well enforced?—It could not be otherwise than good, it must be good in many respects. As I remarked, the chief part of the crime results from that traffic, I suppose 75 per cent, and I think it is even a larger percentage than that according to statistics I have seen as produced directly or indirectly by drink.

By Mr. Clarke :

4351a. Have you got those statistics?—I could lay my hands on them if I was in my library. They were given by a certain judge in Canada.

4352a. Would it be too much to ask you to send those statistics to our Secretary, that we may see them, and they will be returned to you all right?—I will try to find them, I think I have got them.

4353a. Do you remember the name of the judge?—I do not, but I know there was one judge that gave statistics in reference to crime.

4354a. You have no doubt that you have the statement in your library?—I am positive that I have it.

By Rev. Dr. McLeod :

4355a. I suppose that the prohibition of the liquor traffic would greatly increase the purchasing power of the people in other directions?—I think so, because they would have that much more money to spend.

REV. WILLIAM A. MCKAY, D.D., of Woodstock, Ont., Presbyterian Church of Canada, on being duly sworn, deposed as follows:—

By Judge McDonald :

4356-57a. How long have you resided in Woodstock?—I was born in this neighbourhood, and I have been minister here for fifteen years.

4358a. You were here then during the period of the Scott Act?—Yes.

4359a. Did you promote the passing of the Act?—Yes.

4360a. Do you take an interest in what may be called prohibition legislation in the Province?—Yes. I supported the enactment of the Scott Act in this county and in other counties.

4361a. You watched the operation of the Act in this and other counties?—I did.

4362a. Perhaps the better way would be for you to make a statement of your experience in reference to the Scott Act, its advantages, difficulties, etc.?—Well, it might

be called a success or a failure, according to the different standpoints from which you viewed it. It was to some extent, in my judgment, a success, and to some extent a failure. Were I asked, how do you know that it was a success, or in what respects was it a success, I would give my own observations in this county, that there was far less drunkenness, especially during the first two years of the enforcement of the Act than there had been before or than there has been since. In proof of that I may cite the fact that in 1886 we had a county fair, when both our papers, representing the two political parties, neither of them being too favourable to the Act, declared that there were upwards of six thousand persons in the town, and that they had not seen nor heard of one case of drunkenness. The papers are on file and could be turned up. That was the declaration of both the weekly papers. The town then, I suppose, had a population of 8,000 so that there were 14,000 persons present at the fair, and that was the testimony of those papers. It certainly was my own observation. I was through the town and up on the fair grounds, and saw no drunkenness, no drunken men. Certainly, that has not been my experience under license. Before the Scott Act came into force I think drinking was worse than it is now. I have seen, at two or three o'clock in the afternoon, when the sleighing was good and a good deal of teaming was going on, the bar-rooms wide open. I do not suppose I need specify, but I have one in particular in my mind that was so crowded that they could not all get in; a number were outside in the hall, and even outside the door on the sidewalk, shouting and throwing up their caps and so on. They were the worse of liquor. Now, I never saw anything approaching to that, even in the worst times of the Scott Act, but there was drinking. I give that as an evidence of the partial success of the Act. I could also refer to the fact that when the Act came into force the number of commitments for drunkenness and crime at once decreased. The year before the Act came into force, as the figures put in yesterday will show, the number was 51. The first year of the enforcement of the Act, the number went down to 21; the next year it was 28; and the next year I saw there was no report given for the county, it was a mere cipher. I have spoken to our jailor on that matter and he had no figures to give me. Yesterday there were figures put in seeming to show something like 50 or 60, but there was a blank at the time in the printed Government return. The matter was discussed in the papers of the town at the time; it was thought a remarkable thing that there had not been a single case of imprisonment for drunkenness during the year.

By Mr. Clarke :

4363a. Would it be possible for the record to have been amended since that time? —I cannot say. I am just speaking from the record. The fact was not sprung upon us yesterday; it was pointed out years ago that such was the case, and I never heard it contradicted. But that is merely incidental. My point is this, the year before the Act came into force the number was, I think, 51, quoting from memory; the first year it was in force the number came down to 21, then to 28, and the next year there were none reported. Then the Act was repealed and immediately the numbers went up more than 100 per cent, to 58 from 28; and so it has been pretty much from that time to the present. I am well acquainted, I may say, with all parts of this county. I was born out in the country and lived there, and taught school in other parts; and I would like to give strong testimony as to the beneficial effects of the Act, especially in rural districts. I think it was far more effective in those districts than the present License Act is, or than it was in the towns at that time. I remember since then, along with some others, carefully looking at the jail statistics of a number of counties and putting them together. We find, for instance, ten counties, namely: Bruce, Dufferin, Dundas, Stormont, Glengarry, Huron, Norfolk, Oxford, Renfrew and Simcoe, that had the Scott Act in force two years. The commitments for drunkenness in those ten counties were as follows: In 1884, under license, 211; in 1886, under the Scott Act, 81. The following fourteen counties had the Scott Act in operation one year: They were Durham, Northumberland, Elgin, Kent, Lambton, Lanark, Lennox, Audington, Leeds, Grenville, Ontario, Peterborough, Victoria and Wellington. The commitments for drunkenness in those fourteen counties were as follows: In 1884, under license, 501; in 1886, under the

REV. WILLIAM A. MCKAY, D.D.

Scott Act, 200. Then there were fourteen counties in Ontario still under license in which the commitments for drunkenness increased during the same period. Wherever a change was made from license to the Scott Act, we find a decrease of about 50 per cent. In the counties where a change did not take place, we find an increase in the commitments. In those fourteen counties that still remained under license the commitments for drunkenness in 1884 were 2,248, and in 1886 they were 2,314.

By Judge McDonald :

4364a. Do those counties that passed the Scott Act include any cities?—They include cities that passed it, for instance St. Catharines.

4365a. Do the other counties include the cities that did not pass it?—No.

4366a. You do not include, for instance, Hamilton or Toronto?—No, only the counties, upon the same basis as the others. They do not include London, but do include St. Thomas, St. Catharines and Guelph.

4367a. St. Thomas and Guelph both passed the Scott Act, but Brantford and St. Catharines did not?—I am not sure about St. Catharines.

By Mr. Clarke :

4368a. These figures are compiled from what?—From the report of the Inspector of prisons in Ontario. These are some of the facts which I give, indicating that the Scott Act was in some measure a success. Now I would like to point out why I think it was not a greater success.

4369a. Before you proceed with that subject, you have the names of those fourteen counties that remained under the license law?—I have not.

4370a. Could you supply the names of those counties?—Yes, I will send a list to the Secretary. Now, I will just give my reasons why I think the Scott Act was not a greater success. In the first place, it was local. For instance, in this county we felt it very much. A few miles to the north of us was Perth, where it never was passed, and there were places on the line where the liquor shops were shut up on one side of the street and on the other side of the street they were open. They did a good deal towards poisoning the minds of many people against the law. They said it was unjust to have a law on one side of the street which was not operative on the other side. I might mention this instance also to show how effectively the law worked in Woodstock for two or three months after it was passed. It was a notorious fact, I suppose, known to almost every one in Woodstock, that one or two drunkards went at least on one occasion, and I think more frequently, all the way to Tavistock to get bottles of liquor, because they could not get a bottle of liquor in Woodstock.

4371a. Was that after the Scott Act came into force?—About six weeks or two months after it was passed. I would not say that it was as effective after that time. Its partial character and its local character was the difficulty in our way. It was not radical enough. We found it was difficult to enforce the non-sale when a man was allowed to have the supplies. The law did not affect the wholesale business, it did not stop the manufacture or the importation. It simply said: You are not to sell, and I think that was a source of weakness in the law, its not being sufficiently radical, being only partial. Another difficulty we had was the collusion between the buyer and the seller. It is a difficult point in enforcing these laws, that the buyer is always in sympathy with the seller. Then we had a special difficulty here—I do not know whether it occurred in other counties—with regard to two Police Magistrates. We had a Police Magistrate here who we thought was faithful in doing his work, but after a while his jurisdiction was called in question, there was a doubt whether he had power to try cases outside of Woodstock, and the matter was in doubt for a considerable time. Finally the Ontario Legislature settled the doubt by appointing a special Magistrate for the whole county, Mr. Kilburn, of Plattsville. That difficulty, of course, caused a good deal of trouble for the time, as we did not know where we could prosecute. Then the appeals that were taken on different questions were exceedingly annoying, especially when private persons had prosecuted. We did not know but that we might have to go to the Privy Council with these appeals at our own expense, and very few private individuals were found ready to do that. The chief difficulty, however, in my judgment was this, that there was no

provision in the Scott Act, it seems, for setting apart the fines for the enforcement of the law. We found—I am speaking a good deal from memory, and my memory is not infallible—but we found for some time after the Act came into force, that the fines were all banked and the money was held, I think, subject to an Order in Council, and we could not use it to pay for prosecutions. By and by the fines were made over to the County Treasurer, and if my memory serves me right, he refused to distribute those for any temperance purpose until he was ordered to by the Provincial Legislature to do so. Then there were other difficulties. When the money came under the control of the County Councils, we found that a large number of them refused to pay their share of the expense of enforcement.

4372a. That was not a difficulty then so far as the county was concerned?—No, not that I remember. But all those things brought the law into disrepute, and made everything so unpleasant that a large number of people became disheartened and disgusted. I should have mentioned, also, intimidation. There was a good deal of that. Windows were broken, and I myself received, I do not know how many, threatening letters, threatening to burn my houses and such like. But no harm ever came to me.

By Judge McDonald:

4373a. Were the threats made, “unless you did so and so”?—Unless we ceased to prosecute under the Scott Act. One letter I received that I remember particularly, and it was signed by a party who is not in the business now, stating that there was no objection to my preaching the Gospel of Temperance if I left the law alone. This person stated that he had saved my life on three different occasions—which I believe was all a lie—but he was not prepared to continue doing so unless I stopped meddling with the law, that my business was to leave the law alone.

4374-5a. You say the law was well observed for the first few weeks after it came into effect. Do you attribute that to the fact that the people thought it must be observed?—I think there was at first an intention to observe it, and then gradually one of the sellers broke through, and then another, and so on. The others would say: “Well, they are selling up there, and it is an injustice that I cannot sell.” By and by, that feeling became general.

4376a. There was a gradual drift into that state of things?—Yes.

4377a. How long did these difficulties last in regard to appeals?—My memory is that they lasted all along.

4378a. You feel quite sure that these points of litigation were not settled by the court while the law lasted?—My memory is that there were quite a number of them cleared up after the law was repealed.

4379a. Were there not some points of law settled within the first year that the law was in force?—Appeals could always be taken, which was most discouraging, because we did not know where it might end, what expense we might have to incur.

4380a. The money from fines, as you stated, was paid into the county treasury; then do you remember whether the Ontario Legislature made a provision that the Board of License Commissioners and the Inspector should make a requisition on the County Treasurer for the amount needed for the purposes of the Act?—I think it did, and also allocated at one time \$10,000 to help in the enforcement of the law.

4381a. After that legislation took place, you had a Board of License Commissioners and an Inspector here who were supplied with the money from this source to enforce the Act?—Yes, I think so.

4382a. Now, did this Inspector and the other officers endeavour to enforce the law?—Well, there is a difference of opinion there. I think I was, perhaps, as well able as almost any one to form a judgment, and while there were a great many infractions of the law that were not prosecuted, yet my opinion was that in those cases prosecutions would not have availed anything. I have never known our Inspector to get information that he did not use. I have given him information time and again. Others have said: We do not want to put ourselves in his hands, and we will send you the information. They did so, and I transmitted it, and I have never known any case where it was not used. On the contrary I have heard the Inspector speak in large conventions of temperance

REV. WILLIAM A. MCKAY, D.D.

people, and challenge them to point out any case where names had been submitted and proper information given, that action had not been taken.

4383a. Did anybody attempt to answer his challenge?—No.

4384a. Do you believe the Inspector in this town did his best?—Yes, in my opinion he honestly did his best.

4385a. Do you think the non-enforcement of the law was governed to any extent by the sentiment of the community, or was a lack of a sufficient sentiment favourable to its enforcement?—I do not lay the same stress as some do upon the necessity of sentiment, I do not think public sentiment is necessary to the enforcement of a law. We find that public sentiment is very strongly in favour of some laws that are not enforced at all, and public sentiment is against other laws that are very rigidly enforced. We find, for instance, that public sentiment is very strongly opposed to selling liquor on Sunday, but I am strongly of opinion that liquor is sold very freely on Sunday just now in Woodstock, and public sentiment does not prevent it.

4386a. What steps are being taken to call the attention of the authorities to that? You say you furnished the Inspector with cases during the Scott Act; now what cases have you furnished him of a breach of the Sunday law?—I have furnished him with no cases, for the reason that I have no specific cases.

4387a. Then you are speaking from impression or belief, not from knowledge?—Based on knowledge to this extent, that I have seen drunken men on the streets on Sundays, and that boarders in hotels and others who know these things, tell me that drinking is carried on quite freely in most of the hotels.

4388a. Have you called the attention of the Inspector to that fact, and furnished him with the names of these boarders?—No, I have not.

4389a. Now, who do you expect to do that?—Well, I hold this opinion, that I am not in duty bound to turn informer, or take a special part in enforcing this or any other law. We have paid officials to do that. I will do my duty as a citizen.

4390a. I will ask you this question in connection with the public sentiment I spoke about. You say you do not feel bound to become a public informer when you see drunken men on the streets. Now if you saw a man picking another man's pocket, or committing some other offence against him, would you not take steps to have the law vindicated and that man arrested?—Here was my difficulty; I do not know one drinking man in fifty. These drinking men have their own society.

4391a. Are they strangers in town?—They may not be, but this is a town of 10,000 inhabitants. I saw a drunken man at half past eight this morning on the railway, and I pointed him the way to Toronto. Another drunken man I saw walking along the streets the other day, and I pointed him out to some of our citizens, but I did not know who he was.

4392a. Suppose you learned from boarders in hotels that some person in connection with a hotel was in the habit of entering the rooms of boarders and stealing their money, would you think you were putting yourself in a false position by drawing the attention of the authorities to that fact?—If I were to hear simply that there was stealing going on in a certain hotel, I would not feel it my duty to go before a Magistrate and lay information.

4393a. You would not feel it your duty to give information about it?—No, from simply hearing that there was stealing going on in a certain hotel, that it was not a good house, just the same as I hear that there is drinking going on. I do not give names, I do not know the names of the parties, but I am told that there is drinking going on, and that the law is being violated.

4394a. Then it is from hearsay that you know this. But have you called the attention of the authorities to those reports that you heard, without informing against the individuals?—Perhaps not officially. I have talked to them just as I do with others.

4395a. Now, do you think that people look upon offences against the liquor law differently from offences against other laws, that such is public sentiment generally?—A certain class, officials do very much.

4396a. I suppose the majority of the community can hardly be made up of officials?—No

4397a. They must be in a general way representatives of the whole community. Is not that the case?—Yes, but they are representatives of a certain class.

4398a. Now, in case of the enactment of a prohibitory law, would you be in favour of preventing individuals from importing liquor for their own use in their own houses? I am not prepared to go into details,

4399a. That is more than a detail, that lies at the root of the law. I ask whether you would prevent such private importation?—If it should be found necessary for the good of society, then I would prevent it.

4400a. But in your legislation you have not got to make provisions for that in one way or another?—The ground I would take is that the State has a right to protect itself, but if the State find that that step is necessary, then, although it is going very far in restricting individual liberty, I would approve of it. The State has a right to protect itself, and some of us think that the liquor traffic is so great an evil that the State has a right to go a long way.

4401a. Would you make that law so stringent that it will prevent a citizen from sending to the United States to obtain liquor for his own individual use?—My mind at present is that that would be necessary in order to make prohibition effective.

4402a. In order to make things a success, it would be necessary?—Just so.

4403a. Then would you have the law made so stringent that it would prevent individuals from making cider and other liquors in their houses?—Perhaps it need not apply to cider. When cider is made it is not intoxicating.

4404a. But I think it comes under the prohibition of temperance pledges, does it not?—I do not belong to any temperance society.

4405a. I think hard cider does. Take home made wines and other liquors that might be made at home: would you make the law so stringent as to prevent that?—I would repeat what I have already said—I would do whatever is found necessary to effective prohibition. But it is not for me to draw the line.

4406a. You mean that you would be governed afterwards by the circumstances that would arise?—I would say that whatever steps wise men in Parliament may think are necessary to the effectiveness of the law, should be taken in order to reduce the evil to a minimum.

4407a. Well, you have been called here, I may say, as a specialist on the subject, as more than an ordinary citizen, because it has been represented to the members of the Commission that you had a very large experience with the question, both in this county and in others, and that you have made the subject a matter of deep study. Is that the case?—Yes.

4408a. Then to whom should we go, unless to you, to get this information for which we now ask you. You say you would make the legislation so stringent as to prevent private families from manufacturing intoxicating beverages for their own use? I would, if that were found necessary to effective prohibition.

4409a. Then you would not do that in the first place?—My mind is not made up on the matter. I would take the experience of others to ascertain whether our object might not be obtained without interfering too much with the general right of individuals.

4410a. Then you are not prepared to give an answer on that branch of the subject?—Not further than I have just indicated.

4411a. In case of the enactment of such a law, how would you propose to provide for its enforcement?—I would have the power that enacts the law responsible for its enforcement, just as the National Policy was passed and enforced—though contrary to public opinion in some places.

4412a. You seem to think that officials, as a class, are opposed to this kind of legislation, or to carrying it out?—Yes.

4413a. Would you hope for better results from the officials that would be appointed in case of general prohibition?—Yes.

4414a. Why?—For the reason that the officials who would enforce it would be appointed by the Government which enacted the law. That Government would say: We stand or fall with the law, just as the Dominion Government said when they passed the National Policy: This is our law, if this law comes into disrepute it will bring the

REV. WILLIAM A. MCKAY, D.D.

Government into disrepute. We are not going to leave it to the public sentiment of this, that or the other district, to say whether this law shall be enforced. We will appoint officials who will be responsible to the Government, and if they do not enforce it, they know what the consequences will be, they will be dismissed. My opinion is this, that to have effective prohibition we must have first a prohibitory law; then we must have a prohibitory Government, and behind all, and as the cause of all, a prohibitory people.

4415a. In your own county here, as I understand, you had a prohibitory people?
—Yes.

4416a. But you did not have a prohibitory County Council?—No.

4417a. Taking the larger area of the Dominion, would you fear that the same state of things might arise, that though you might have a prohibitory people to pass prohibition, from other issues arising you might not get prohibitory authority to carry it out?
—In the larger area I could understand that the Government would identify itself with the law, just as they do with the other laws, and that this would give them an interest in it that would secure faithfulness on the part of their officials.

4418a. Then your hope is that, after the enactment of such a law, even though the Government that enacted it went out of power, its successors would also be favourable to prohibition?—Yes.

4419a. So that you would have a perpetual prohibitory law upon the statute-book, and the successive Governments always made up of friends of the law, who would be in favour of prohibition?—I would not vote for a prohibitory law unless there was a power behind it to enforce it.

4420a. If there was not such a power, you would not expect it to be a success?
—No.

4421a. In case of the enactment of such a law, would you admit the making or the importation of liquor for mechanical, sacramental and medical purposes?—Certainly.

4422a. Would you favour remuneration to brewers and distillers for the loss of their plant and machinery that would be rendered useless by the enactment of such a law?—Well, I would not take high grounds there, I would be willing to consider. Of course a good deal can be said in the way of mutual compensation. But I would be prepared to go a long way to get rid of the evil, and to consider a question of that kind. I would not be in favour of compensating mere retailers, I would not think of it for a moment. But the case is different with regard to permanent companies, and in case of these, although I do not say they are entitled to compensation, but as a matter of expediency, if prohibition depended upon their getting it, I would be willing to grant it for the sake of removing this evil.

4423a. Passing from that subject to another—you are pastor of a congregation in this town, and have been for fifteen years?—Yes.

4424a. Have you, as a pastor, found evils to result from the drink traffic?—Great evils.

4425a. And sorrow in families?—Yes. We are helping two families now. In one case the husband has been in jail, in the other he is useless through drink.

4426a. Have you many such cases in Woodstock?—Oh, yes. I may give you a fact just here. I heard it stated yesterday that there were only about seven persons who drank to excess. I sat down last evening with two or three friends who are pretty well acquainted in the town and neighbourhood, and we wrote down the names of 77 hard drinkers—that is, in the town and neighbourhood, 57 of them are in the town itself. No man, I suppose, in the whole town, no respectable citizen, would deny that these men are very hard drinkers, none of them would be called mere ordinary drinkers, not at all men who perhaps get drunk two or three times a month.

4427a. Of course we do not wish to go into details?—I do not wish to give the names, but I wish to make the statement. If any proper way may be pointed out by which the names may be submitted, I am prepared to submit them, I do not wish to publish them. Our conviction is that this number of names of hard drinkers can be more than doubled in this town of Woodstock.

4428a. Do you remember who it was gave that evidence?—Mr. Ball.

4429a. It might be proper for you to submit that list to Mr. Ball. His worship the Mayor is an old resident here, and you might submit it to him?—I will submit it to any two or three gentlemen in confidence.

4430a. Now, is there any further statement you would like to make on this question?—Well, I just took a note about the shebeens that were spoken of yesterday. Some of the witnesses stated there were no shebeens here now, that everything was very clean and going on beautifully under license. Now, I think there are facts that clearly contradict that. There are unlicensed places that have been fined time and again within the last year or two. I have had a conversation with the Inspector this morning upon this matter, so my mind is clear. One unlicensed place was convicted three times. It was kept by a woman. She pleaded guilty through her solicitor to the offences, but afterwards she withdrew the plea and appealed to Toronto, and the conviction was quashed.

4431a. That case was mentioned yesterday?—I was not present at the time. Then there are other cases. I think there was a case, in the east end, of an unlicensed place that was fined.

4432a. Do you think that the law in respect to such places might be more rigidly enforced than it is?—The difficulty is to get witnesses. It is just as difficult to get evidence now as before. There was more agitation under the Scott Act, just because there were more prosecutions. Everybody expects drunkenness now, but when there was a drunk under the Scott Act, its enemies hissed out in scorn: There is your Scott Act. But now there might be a hundred drunken men and no one would say: There is the License Act.

By Rev. Dr. McLeod:

4433a. It is legitimate now?—It is according to law.

By Judge McDonald:

4434a. It has been said that in some cases the men who have licenses will aid the Inspector in rooting out unlicensed places; therefore the Inspector may be in a better position to prosecute an unlicensed place under the license act than he would under the Scott Act?—I think if you put the Inspector in the witness box, he will tell you that he never got help of that kind, nor, in the nature of the case, will he ever get it, because they themselves, my opinion is, are breaking the law, and they do not want to quarrel with their neighbours in the same business for fear of retaliation.

4435a. You say they break the law. Are they prosecuted?—The difficulty is to get reliable witnesses. We may see drunken men on the Sabbath, we may see them after hours; as I have said, I saw a drunken man to-day on the street, but I did not prosecute. I do not know where he got his liquor. I do not know his name.

By Mr. Clarke:

4436a. Did you ever work out statistics of the total number of committals for drunkenness in all the counties where the Scott Act was in force, and make a comparison of the committals for those counties prior and subsequent to that period?—Nothing more than the calculation I have submitted.

4437a. Do you remember when the Scott Act came into force here?—In 1885.

4438a. In 1885, according to the Sheriff's return, there were 21 committed to the jail for being drunk and disorderly. That went up to 64 in 1888?—It was 21 the first year after the Scott Act came into force, and the year before the Scott Act came into force, it was 51.

4439a. It went up, at any rate to 64 in 1888?—That was the year after the Scott Act was repealed.

By Judge McDonald:

4440a. It was repealed in May, 1889, was it not?—Oh, yes. I should have stated that in the last year the enforcement was very lax; I am not at all surprised that the number went up. But you will observe that the first year before the enforcement it

REV. WILLIAM A. MCKAY, D.D.

was, 51, and the first year after, 21, and the next year, 28. The next year is disputed, as there is no report. In 1892, there were 24; in 1893, it went up to 38.

4441a. It is observable that the proportion of drunks to the whole number of arrests has kept up?—Yes.

By Mr. Clarke :

4442a. The largest number of committals for drunkenness and disorderly conduct was in the year 1888-89. Was the Scott Act in force that year?—Not in 1889, but in 1888 it was dying. In 1887 there is no report.

4443a. The total commitments to jail, in 1885, were 367; in 1886, 296; and in 1887, 570?—Well, a great many of those are tramps whose committal would have no direct bearing upon the law.

4444a. Then the total number of convictions in 1892 dropped down to 150, and this year, up to the 30th September, it is 167. The number of inmates in the jail was 10 in 1885; 14 in 1888; 22 in 1889, which number has dropped to 5 in 1893. To what do you attribute the decrease?—The poor-house has taken a number of inmates from the jail, I think something less than a dozen.

4445a. Taking the condition of things existing now, and comparing it with that which existed under the Scott Act, which is the more preferable, in your opinion, so far as the traffic and its results are concerned?—In my judgment, even at the very worst time under the Scott Act, there was far less drunkenness than now. There is a large market here, in Woodstock, every Saturday, and crowds of people, and going by hotels, you will hear noise and hallooing, and shouting, and invitations to drink to persons going along on the sidewalk; and sometimes I have heard language that I could not repeat. There is drinking and a great deal of it, and in a few more places, possibly; but so far as my knowledge goes, the places that sold then are selling now, some with license and some without.

By Rev. Dr. McLeod :

4446a. Have you a county poor-house?—Yes, within the last year.

4447a. What was done with the poor prior to that?—They were put in jail.

4448a. Has there been a number of inmates removed from the jail to the poor-house?—Yes.

By Mr. Clarke :

4449a. Do you know of any place where the importation of liquor for domestic use has been prohibited under any prohibitory law?—I do not. I am not acquainted with the history of these things in the different stages of the Union.

4450a. There is no prohibition of importation for domestic use in any of the States, so far as we know?—Not in Maine?

4451a. Not in any of them.—I did not know that.

By Rev. Dr. McLeod :

4452a. Do you know anything about the brewery to which reference has been made two or three times?—It was closed during the Scott Act. Judging from the appearance outside, I remember seeing a paragraph in a town paper just before the vote on the Scott Act, that if the Scott Act was passed, the brewery would be closed; and the paragraph impressed itself on my mind because I thought it was just an election dodge to intimidate. Well, the Act was passed, and I understood all along that the brewery was closed. I understand it is running now.

4453a. Do you know whether we can get any statistics of the pauperism in the county, which is charged upon the public?—It would be easy to get it from the poor-house.

4454a. Could we get statistics of pauperism prior to the establishment of the poor-house?—Yes, there were quite a number receiving aid from Township Councils as well as from the Town Council, and churches. I think the Township Councils could give the information.

4455a. Did you hear Rev. Mr. Rose, yesterday, make a statement about certain bonds that were exacted, or proposed to be exacted, by certain licensed vendors?—I did.

4456a. Have you any knowledge of that other than what he said?—No more than what he told you. We regarded it as an election measure. There was to be a vote taken on the reduction of the number of licenses, and these liquor men, we understood, met in one of the churches, and entered into bonds with someone there that they would keep the Sabbath law, which to my mind implied that they had not been keeping it in the past, although they were under as much obligation to keep it in the past as they were in the future. I looked upon that as one evidence that the license law is not being observed—the fact that they were making this special effort to keep the law on the Sabbath, and offered to enter into bonds of \$200. I do not know whether they paid these bonds.

4457a. The people really voted for a reduction in the number of licenses?—They did, but the Commissioners refused to reduce the number.

4458a. In other places we have learned that sometimes political influence governs the action of the Commissioners, independently of the public sentiment and independently of the proper enforcement of the law. Now, do you know, and are you willing to say, whether there has been anything of that kind brought to bear upon the Commissioners?—Well, I have no reason to think that. Some have contended that we should go to those who represent the people in the matter, and that it was the duty of the Town Council to reduce the number of licenses as the people desired.

By Judge McDonald:

4459a. When this question was before the town was there an arrangement entered into that the question of reducing the number of licenses should not come before the council, but that it should be settled by the Commissioners?—Some members of the Council claimed there was an understanding to that effect, which I think one of our friends admitted, but which others did not understand. There was a difference of opinion.

4460a. Some had an idea that this matter should be kept out of municipal politics altogether, and the Town Council sent it on to the Commissioners, and when it came before the Commissioners, they sent it back to the Council?—Exactly.

4461a. So that in the end you did not get what you wanted?—We did not get what the people asked for.

JOHN CAMERON, of Woodstock, Governor of the Jail, on being duly sworn, deposed as follows:—

By Judge McDonald:

4462a. How long have you been Governor of Woodstock Jail?—Twenty-five years.

4463a. We received yesterday afternoon a letter from the High Sheriff of the county, saying he could not come, but he transmitted us some figures. I will pass them over to you?—These figures are correct, according to my books. In the year 1887 a mistake crept into the statistics. My man made up the figures, and instead of putting the drunks and disorderlies by themselves in that column, he put them all under the head of vagrancy.

4464a. That accounts for the mistake in 1887?—Yes, and I never noticed it until I saw it in the newspapers, then I knew it was wrong. Of course the Government could not question it. They took it for granted that we had no drunks that year.

4465a. Then the explanation is this, that the total is probably correct, and that these individuals appeared under the head of vagrants?—Yes.

4466a. It is simply a matter of wrong classification?—Yes, that is all. The Government could not check it. Of course the mistake was made use of all over the Province, but it was wrong.

REV. WILLIAM A. MCKAY, D.D.

4467a. How many prisoners have you in jail now?—Only four.

4468a. Since the establishment of the poor house, I suppose your average number has decreased?—Yes, we got rid of those who ought to go to the poor house. The Government does not allow us to take persons that ought to go to the poor house.

4469a. At one time, I suppose you had a good many poor house guests?—Yes, all along, up to the time the poor house was established.

4470a. Do you find that among the persons yearly committed for being drunk and disorderly, quite a large proportion of them are of intemperate habits—taking both the poor house vagrants along with the others?—Yes, a large proportion.

4471a. I suppose you had occasionally tramps passing through that would be sent in?—Yes. Sometimes there were vagrants sent in that were not very intemperate.

4472a. In the case of men who were committed for the more serious crimes, such as burglary, forgery, arson and the like, how do you find them generally as to their habits?—Well, they vary. Some of them are intemperate, and some of them are not. But most of them drink.

4473a. They are not total abstainers?—No.

By Mr. Clarke :

4474a. You were jailor during the time the Scott Act was in force?—I was.

4475a. Did you have opportunities of seeing its operation in the town and country?—Yes.

4476a. How did it operate?—So far as my experience goes, I think the drink habit increased slightly. It was accounted for in this way, that the men who kept hotels were obliged to keep their liquor in small quantities, so that when the Inspector came round they could pick up their jug and run away with it; whereas if they had a barrel of beer or light drinks, they could not pick it up and carry it away; so that the men who drank did not get anything but strong drink, and consequently intoxication increased slightly, which the statistics show.

4477a. Did you observe in your official position as governor of the jail, any appreciable decrease in the number of drunk and disorderly people committed during the Scott Act period?—No, it increased, as the statistics show.

4478a. These statistics for 1885 show a decrease. We have not got statistics for 1884?—I can produce them from my book for 1884.

4479a. But you say there was no decrease?—No, no improvement observable so far as I could see.

4480a. Is the present state of things preferable to the state of things that existed under the Scott Act?—I think it is.

4481a. To what do you attribute the partial failure of the Scott Act?—Public opinion was not such that the law could be enforced.

4482a. You think the officials require a certain strong public opinion to put a law of that kind in force? In my experience of jail keeping, all crime can be traced to three different sources. The first and greatest of these sources is idleness, the next is liquor, and the third sensuality. All three run pretty nearly parallel with each other, perhaps sensuality the less. My opinion is that idleness is the great source of the evil, that when men are improvident and shiftless, they learn to drink. The drink habit always goes with the idle habit. The first great cause is the idle habit, and then they learn to drink.

By Rev. Dr. McLeod :

4483a. Have you ever observed that the drink habit leads to idleness and improvidence?—The idle habit leads to drink.

4484a. Does drink sometimes lead to idleness?—I suppose it does sometimes, no doubt about it.

4485a. We have heard in some places, at least that was the impression left on our minds, that sometimes a hint is given to the police authorities to let up in the matter of arrests for drunkenness and in the matter of prosecutions for violations of the liquor laws. Do you know anything about that?—Nothing.

4486a. Do you have many total abstainers in jail?—Very few.

4487a. What proportion of those incarcerated prior to the establishment of the poor house, were paupers?—Probably about one-fourth or one-sixth.

4488a. From your knowledge of those paupers, having had charge of them for a number of years, are you able to say whether any proportion of them became destitute because of their own drinking habits, or of the drinking habits of those upon whom they were dependent?—Nearly all of them were paupers through their drinking habits. They brought themselves to that by drink.

By Mr. Clarke :

4489a. Taking those who were committed for the more serious offences of burglary, forgery and arson, are they drinking men generally?—Not as a rule—not all of them.

By Rev. Dr. McLeod :

4490a. Are they total abstainers?—No, I could not say they are total abstainers. They sometimes report themselves as temperate men. Our statistics only require us to ask them if they are temperate. The only way we can arrive at it is by asking the man himself: are you temperate? If he says yes, he is put down as temperate, that takes in a little more than total abstainers.

4491a. Then you ask the prisoners, and when a prisoner says he is temperate, that means that in his judgment he is not a drunkard?—He is not a drunkard. But there is no doubt that a good many represent themselves as temperate who are not so.

4492a. Did you ever find anybody representing himself as a drunkard, when he was not?—No.

By Judge McDonald :

4493a. I suppose in your experience you have found men who, being charged with crime, would say they were drunk, in extenuation of their crime and in order to get off more easily?—They always attribute their crime to drink and drunkenness as an excuse.

By Rev. Dr. McLeod :

4494a. Have you observed whether many of those who alleged that they were drunk or drinking when the crime was committed, were not drunk or drinking?—That would be beyond my power to say, because they are pretty well sobered up before I get them. Whether they had been drunk at the time of committing the crime, it would be impossible for me to say.

4495a. But from your knowledge of criminals generally, you might infer something?—I might infer that they were likely to have been drinking.

HORACE R. WILL, of Woodstock, Chief of Police, on being duly sworn, deposed as follows:—

By Judge McDonald :

4496a. How long have you resided in Woodstock?—About twenty years. I have been Chief of Police a little over four years.

4497a. It is your duty, I suppose, to make arrests of parties who are drunk and disorderly?—Yes.

4498a. Do you find many such cases in Woodstock?—No, considering the size of the place. I have made a statement of the arrests since I have been in this position, beginning June 1st, 1889.

JOHN CAMERON.

4499a. About the time the Scott Act went out of force?—Yes. I will read the table?

Year.	Arrests for drunkenness.	Other offences.
1889 (7 months).	37	310
1890.	94	689
1891.	40	481
1892.	37	486

4500a. How do you account for the drop from 1890 to 1891?—I cannot account for it.

4501a. The Scott Act had gone out in 1889, so both these years were subsequent to the Scott Act period?—Yes, both were under the license law.

4502a. I see the diminution has continued into 1892. How is it from the present year up to this time?—I did not make out the figures. I think it would be something like last year.

4503a. So there must be a great improvement?—Yes.

4504a. I suppose some of these people, who were arrested for drunkenness, paid fines?—Yes, and some were discharged without fine, and some were sent up to jail.

4505a. So these figures do not represent committals to jail?—No.

4506a. Under the heap of other offences, you have cases such as breaches of the town by-laws, neglect to clean the snow off streets, keeping unregistered dogs and that sort of thing?—Yes, and assaults.

4507a. They include all the offences charged, some of which may be called summons cases, and not arrests?—Yes, civil summons cases.

4508a. Now, speaking as a citizen, what is your experience as to drunkenness during the Scott Act period and since, relatively?—I had a very good chance to see how the Scott Act worked. I was on the railroad at that time—I was on the railroad a little over twenty years—and my experience was that there was a great deal of drinking, a great many carried bottles around in their pockets. On Saturdays we have market day here in Woodstock. A great many will come to market and go away on the train at night; and I observed during the Scott Act period that a great many people would have bottles in their pockets and carry flasks and samples, and a great many drunken people. About twenty-five years ago it was quite common for travellers to carry flasks in their pocket. That lasted about ten years and then seemed to die away. I know that railroad men drink a good deal, and if I had desired I could have been drunk every day in my life. But that custom of carrying flasks in their pockets had about died out, there was very little of it until the Scott Act came into force, then it seemed to revive again. That was my experience.

4509a. Under the Scott Act it revived, and they commenced again to carry flasks in their pockets?—Yes.

4510a. Were you much on the streets during the Scott Act period?—I was on the streets a good deal, but I was on the road the most of the time. I was in this town about two hours every day.

4511a. Did you ever see any drunkenness on the streets at the time of the Scott Act?—Any amount of it.

By Mr. Clarke:

4512a. Did you see as much as at present, or as much as you saw before the Scott Act?—Quite as much. We have very little drunkenness on the street now, considering the size of the place.

By Judge McDonald:

4513a. Some witnesses have spoken about drunken men being seen here on Sunday. Do you come into contact with these people?—Very seldom.

4514a. Do people furnish you with information about it?—I did not hear of any.

4515a. If they did, would you be prepared to deal with the cases?—Certainly.

4516a. As an official then, it is your wish that people should give you information? —Yes, I have asked them to do it. If they see any wrong-doing I want them to come and tell me.

4517a. How do you think the law relating to Saturday night and Sunday is observed?—I think it is very well observed. Of course I make my rounds, and I do not see any irregularities. They would not let me see any, I suppose, anyway if they could help it. But I find everything quiet.

4518a. Is there good order here on Saturday nights and Sundays?—Very.

4519a. How about the sale to minors and boys? Do you see any of that going on? —Very little. I do not know of any young boys drinking.

4520a. Have you any Indians here?—Very few.

4521a. Do you have any trouble with them?—We had a couple in this summer for drunkenness.

4522a. Did you find out where they got the liquor?—They would not tell, we could not get that out of them.

4523a. It is said in some cases that Indians send in white men to get it for them? —Whenever we ask them where they got the liquor, they always say they got it from a man that had a bottle. We cannot get evidence from them at all.

4524a. Were these people, whom you have arrested for drunkenness, all residents of Woodstock, or were they parties from other places?—A good many from the country.

4525a. Were any of them of what you call the tramp class, passing through?—We very seldom catch a tramp drunk. He generally wants a night's lodging, or something like that.

4526a. From your experience of this section during the time of the Scott Act, and since then under the license law, which do you think preferable?—I would prefer the license law, as it is at present, rather than the Scott Act as it was enforced.

4527a. Are you in favour of a general prohibitory law for the whole Dominion?—If it could be made a success.

4528a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless? —As to brewers, most of them are pretty rich, I do not think they would require much. But there is a great deal of money laid out, in this town for instance, in hotel property that would be decreased very much in value. I think they ought to be compensated.

By Rev. Dr. McLeod:

4529a. Do you arrest every man that is seen on the streets drunk, or if a man is a little unsteady, but heading towards home and going along quietly, do you let him go? —If I meet a man on the street drunk, I arrest him.

4530a. Even if he is quiet?—Even if he is quiet.

4531a. That has been your rule all the way through?—That has been the rule.

4532a. I see that in 1890 there were 94 arrests for drunkenness, while in 1892 there were only 37, was there as much carefulness in the arrest of drunkards in 1892 as there was in 1890?—I think there was.

4533a. Are you able to account for the large number in 1890?—I cannot account for it. It seemed to be quite different that year.

4534a. Would it be accounted for in this way, that the Scott Act having been repealed the year before, they were celebrating?—I think it was two years after the Scott Act.

4535a. Do we understand you to say that you have never known of any hotel-keeper or other licensee, selling on Sunday or at other prohibited times?—Only those that have been taken up and convicted.

4536a. Is there much juvenile crime in Woodstock?—Not much.

4537a. Have you observed whether crimes amongst children as well as amongst others who have reached maturity, are attributable in any degree to their having been neglected by their parents, such neglect being caused by drinking habits?—No, I cannot say that.

HORACE R. WILL.

4538a. Are there many children running loose about the streets, uncared for?—Very few.

4539a. Have you ever received an intimation from any quarter, or suggestion, to let up on the arrests for drunkenness and other offences?—I do not understand.

4540a. Have the police ever received a hint from the authorities that it would be just as well to let up, on the arrests for drunkenness, or vagrants generally?—No, nothing of the kind.

WILLIAM GREY, Woodstock, Justice of the Peace, on being duly sworn, deposed as follows :—

By Judge McDonald :

4541a. How long have you resided in Woodstock?—A great many years, ever since it was incorporated. In fact I was one of the Commissioners to define the limits of the town before its incorporation.

4542a. How long since would that be?—I cannot say. In fact I have lived in town between fifty and sixty years.

4543a. You have been one of Her Majesty's Justices of the Peace for the County of Oxford?—Yes, and I was Reeve the second year of the incorporation, and was so for several years. I have been Mayor of the town for several years, and I think I have done the greatest part of the Magisterial duties before a Police Magistrate was appointed, for thirty or forty years.

4544a. In what line of business have you been engaged?—I have been in different classes of business. I have been president of a Loan Society ever since it was inaugurated. I have been in business here forty years.

4545a. How do you find the Scott Act carried out here?—Unfortunately, I think it was a thorough failure. I believe there was more drinking and drunkenness throughout that period than there was before or since.

4546a. To what do you attribute that?—Well, I think there were a good many parties selling; you might call them shebeen shops, or whatever you chose to call them. There were a great many more people selling liquor than there were under the license law. When people came into town, instead of going to a hotel and getting a glass of beer, they would get a bottle of whisky and drink that, which would cause a great deal more intoxication than there was before.

4547a. Did you notice whether there was as much drunkenness on the street during that period, as during the license period?—I saw one Saturday more drunken people in the town, and going out of town, than I ever saw in one day before, that I can remember, in my life.

4548a. Was that day while the Scott Act was in force?—Precisely.

4549a. Did you have to try any cases under that law?—Yes, several. I acted on several occasions when the Police Magistrate was out of town.

4550a. In regard to such cases did you have reason to believe that perjury prevailed?—I am positive there was a great deal of perjury committed during that period—I am sure of it, because I heard three or four men swear to one thing positively, and three or four others, quite as respectable, swore to the reverse. There must have been perjury.

4551a. Did you find a greater amount of perjury in connection with prosecutions under that law than you found in cases under other laws?—I could not say positively, but I think there was a great deal more. I did not have much experience in the examination of parties that were brought up for that offence during the Scott Act. We had a Police Magistrate who generally did that duty.

4552a. Did you find that the business of this community was benefitted by having the Scott Act in force?—I think the reverse was proven, that business was not benefitted in any shape. I believe it drove some people to other parts of the country to

trade, that otherwise would have come here. I am not positive, but that is my opinion from what I have heard. They could not get accommodation here.

4553a. Have you, yourself, been an employer of labour?—I have never employed many men, just domestic servants.

4554a. You are not able to state then as to how far workingmen are affected by the drink habit?—Only from observation. I am very glad to be able to say, from the experience I have had these last sixty years, that I believe there is less drunkenness, fewer confirmed drunkards, in the town of Woodstock, now, than there were when we had a population of 400 or 500.

4555a. Then you are able to state positively that during all these years the temperance sentiment has been increasing?—Not only in the town, but throughout the country. I have travelled a great deal over the country, and I remember that whenever I went into a house in the town or county, the bottle was put on the first thing. You may travel for weeks now without seeing anything of the kind.

4556a. Do you find that the churches and temperance societies are exercising a good influence in that respect?—I would say that moral persuasion is the great antidote of intemperance.

4557a. Would you favour the enactment of a prohibitory law for Canada, prohibiting the manufacture, importation and sale of liquor?—I would not, and for the following reasons: It could not possibly have any good effect unless we had an international law with the United States. We have such a long frontier with the United States that it would be utterly impossible to prevent smuggling into our country.

4558a. In case such a law were enacted, would you except from its provisions, the manufacture or importation of liquor for medicinal, sacramental or mechanical purposes?—Certainly.

4559a. In that case would you commit the manufacture to the Government or to private individuals?—Private individuals.

By Rev. Dr. McLeod:

4560a. Does the liquor traffic benefit business generally?—I do not think that drinking to excess benefits anything in the world. I think the drink habit is a great curse to our country, but I never saw any good effect from any coercive act yet.

4561a. I ask if the liquor traffic, as it is carried on, benefits general business?—I am not prepared to say whether it benefits general business or not. I am a temperance man, I believe in temperance.

4562a. You are president of a loan society?—I am.

4563a. Do you as readily make loans on properties adjacent to liquor shops as you do on other properties?—Yes, if the security is good, we make no distinction.

4564a. Would you require a little different security on a property adjacent to a liquor store?—No.

4565a. Do you know whether there is any difference in the rates of insurance on properties adjacent to liquor stores?—Well, it depends a good deal on the trade that is carried on in the property, but not in the liquor store.

4566a. We have been told in some places that there is an increase in the rate caused by proximity to liquor stores?—There may be. I was an old insurance agent, and at that time there was no difference. But there may be now.

WILLIAM GREY.

H. P. BROWN, of Woodstock, Treasurer of County of Oxford, on being duly sworn, deposed as follows :—

By Judge McDonald :

4567a. How long have you held the position of County Treasurer ?—Twenty-four years.

4568a. When the Scott Act was in force, there was an Order in Council passed by the Dominion Government which required Scott Act fines to be paid to county municipalities ?—Yes.

4569a. Were any moneys paid to your county under that order ?—Yes.

4570a. Can you give us a statement of the amount received ?—I have prepared this statement for the Commission :

Year.	Received in Fines.	Disbursements.
1887	\$4,694 83	\$1,370 44
1888	3,787 29	2,050 76
1889	2,058 05	1,934 07

4571a. Did you receive any after that ?—No.

4572a. There were no balances of fines remaining over that came in in 1890 ?—No. I wish to state that in the disbursements is included the salary of the Police Magistrate, for the first two years it was charged to the county officers' salary account; consequently I have had to add that to the disbursements. It is \$1,250.

4573a. That was two years' salary ?—It was over two years. There were two Police, Magistrates during that period. The first one died, there was another one appointed and his salary was charged for some time to the county officers' salaries, and that is the reason it did not appear in the Scott Act fines account until the latter part of the term.

4574a. Then, according to those figures, there remained a balance of money in the treasury ?—Yes.

4575a. Has that been carried into the general funds of the county, or is it still held as a trust fund ?—No, it is still held as a credit.

4576a. Now, what was the mode of disbursement ? Were you furnished with a requisition ?—There were certain requisitions for each riding of the county for expenses.

4577a. That would be for the travelling expenses of the License Commissioners, salary of the License Inspector, and salaries of the Police Magistrate ?—Not the Police Magistrate. I paid the Police Magistrate here myself.

4578a. Then those two sets of items, requisitions for expenses and the Police Magistrate's salary, make up the amount of disbursements ?—Yes.

4579a. These requisitions, I suppose, were furnished to the County Council ?—They were furnished to the County Council, and on their instructions I paid it over to the different divisions.

4580a. Were you living in Woodstock while the Scott Act was in force ?—I was.

4581a. How did you find it carried out in this county, so far as your observation went ?—Well, I have not thought of it lately.

4582a. I suppose your memory can go back to that period. Did you find it what you might call a success ?—The Scott Act was very much violated. Of course you can see that from the returns I have read.

4583a. Have you any way of ascertaining whether those fines that were returned to you, were really fines for first offences, \$50 fines ?—I think most of them were ; although there were parties that were fined a couple of times.

4584a. Were they ever fined for second offences ?—I think some of them were.

4585a. Where the fines would be \$100 ?—There were not many of them, at all events. The bulk of them were fined on the first offence, as it were, although I believe several of them were fined several times.

4586a. Do you favour the enactment of a general prohibitory law for the whole Dominion, prohibiting the manufacture, importation and sale ?—Yes, I think I should be in favour of it.

4587a. In case of the enactment of such a law, would you commit the enforcement of it to the Dominion, the Provincial or the municipal authorities?—I suppose I would have to submit to whichever it was.

4588a. You have no preference as to which would make it more efficient?—I do not care who does it so long as it is properly done.

4589a. In case of the enactment of such a law, would you admit the manufacture or importation of liquor for mechanical, sacramental and medicinal purposes?—A prohibitory law would not be of much use if liquor was manufactured or brought into the country.

4590a. For any purposes?—No.

4591a. You would not favour any elasticity in that respect, then?—No, I think if I was going to have a prohibitory law, I would prohibit the manufacture as well as the sale.

4592a. But would you prohibit the manufacture and importation for those specific purposes, mechanical, sacramental and medicinal?—I suppose these things would have to be had for certain purposes, no doubt.

4593a. In such a case, would you deem it advisable that the liquor for those purposes should be manufactured by the Government or by private enterprise?—I have not thought much about these things.

4594a. In case of the enactment of such a law, would you favour remuneration to brewers and distillers for their plant and machinery that would be rendered useless?—No, I think not.

MALCOLM DOUGLAS, of Woodstock, License Commissioner, on being duly sworn, deposed as follows :

By Judge McDonald :—

4595a. How long have you resided in Woodstock?—All my lifetime.

4596a. Are you License Commissioner for this electoral district?—I am this year.

4597a. You were not during the time the Scott Act was in force?—No.

4598a. You were a citizen here then?—Yes.

4599a. How did you find the Scott Act carried out in this community?—I cannot say that I think it was a success.

4600a. Did you ever see any drunkenness on the street?—Yes.

4601a. Taking it and the license law, under which have you seen the most?—Under the Scott Act.

4602a. You have only been License Commissioner a year, you say?—Just for this year.

4603a. It was represented to us by a colleague of yours yesterday, that owing to a change in the Board this year there would be a diminution in the number of licenses in Woodstock next year, provided the same Commissioners remained?—Yes. I may say that the Board felt this year that we would like to make the reduction, but we did not think it wise to cut off without notice any persons who held licenses. We thought it would be a more advisable course to give them at least a year's warning, and they could prepare for it.

4604a. Do you find that the license law appears to be well carried out in this community?—Fairly well, I think. Of course it is pretty hard to carry out any law, and especially a license law. It is a hard thing to get convictions, even where you believe the party is guilty. Although you may believe there are violations, it is a difficult thing to prove them.

4605a. I suppose that in granting licenses the Commissioners use their own discretion, looking at the report the inspector makes to them?—Yes.

4606a. Weighing any petition that may come in, one way or the other?—Yes.

H. P. BROWN.

4607a. Had you any such petitions this year?—We had some petitions, but there was only one, I believe, against a house which received a license. The petitions were against houses that had not licenses last year, but which were asking for licenses this year; and they were refused with the exception of this one case I mention, which was in the township of West Zorra. West Zorra is a different case from any other municipality, they have only one license in the whole township, and if we had refused that one, the township would be under total prohibition; so we thought that under the license act we had not power to refuse. The petition was not so much against the man himself as against the principle of licensing a hotel.

4608a. Is that the township we were told about yesterday, near Tavistock, on the Perth county boundary?—The north portion of it is.

4609a. That is the township in which your brother Commissioner lived?—Yes, he lived in Embro.

4610a. Do you know whether at the time the Scott Act was in force there was open sale to any extent in Woodstock?—Well, it depends on how you define open sale. When the Inspector went around I think there was no open sale. I believe he did his best to enforce the Act.

4611a. Was it the same Inspector you have now?—Yes; I believe he did his best, but it was a difficult Act to enforce. When you have a license county adjoining this county, as Perth does Oxford, where you can go over the boundary line and get all the liquor you require, it is difficult to enforce the Act.

4612a. I suppose that difficulty existed to some extent in Woodstock as well as in the township adjacent to Perth?—Yes.

4613a. To what did you attribute the state of things here?—I attribute the difficulty of enforcing the Act to the fact that parties selling the liquor never kept other than a small quantity on hand, so that when the Inspector came round they could get it out of the way quickly, as you heard Mr. Cameron, the jailor say; so there was no evidence for the Inspector when he would make a search.

4614a. What class of liquor appeared to be sold chiefly under the Scott Act?—I think a large proportion of it was ardent spirits, liquor that could be easily handled and kept in a small space.

4615a. Do you favour the passage of a prohibitory law for the Dominion, preventing the manufacture, importation and sale?—I cannot say that I have thought a great deal about the prohibitory part of the question, but I think it would be a good thing for the country if a large majority of the people were in favour of it.

4616a. Then you think the public sentiment has something to do with the successful carrying out of such a law?—I believe it has.

4617a. And if you cannot get sufficient public sentiment behind such a law, you cannot hope to carry it out?—I think not. I believe any such law as this must have behind it a preponderating public sentiment to make it effective.

4618a. In case of the enactment of such a law, would you admit the importation, or manufacture of liquor for mechanical, sacramental and medicinal purposes?—Yes.

4619a. And for those purposes would you have it manufactured by the Government or by private individuals?—By the Government.

4620a. In case of the enactment of such a law, to what authority would you commit the enforcement of it, to Dominion, Provincial or municipal officers?—Well, if the law were a general law over the whole Dominion, I should think the Dominion Government ought to enforce it.

4621a. But if it were only a Provincial law?—Then by Provincial officers.

4622a. In case of the enactment of such a law, would you favour remuneration to brewers and distillers for their plant and machinery rendered useless?—I believe it might be wise to make them a small allowance, although I cannot say that I think they are entitled to it any more than any other business man who might suffer from a change in the law. But, taking the whole question into consideration, I believe it might be in the interests of the country to make a small allowance.

4623a. Under the license system as we have it, do you think it would be wise to have a more thorough inspection of the liquors that are sold, in order to procure a better quality?—I believe it would be a good thing to have the liquors inspected.

By Rev. Dr. McLeod :

4624a. We understand there are fourteen taverns licensed in Woodstock?—Yes.

4625a. Do you think there are fourteen real hotels in Woodstock?—Yes, I do. I know that the Commissioners are very particular about that, and the Inspector himself must report that all the applicants have the accommodation required by law.

4626a. What is the accommodation precisely?—The accommodation is stabling for six horses, and four bed-rooms, besides those required for the family.

4627a. Then there is a provision for entertaining guests at the table?—Yes.

4628a. Do you think these fourteen have all the equipment?—I think they have.

4629a. Do you think they do the business of a hotel, feeding people and lodging people, or do they have that equipment simply to qualify them to get a license, their chief business being the sale of liquor?—I confess I did not go around and examine them well enough to say.

4630a. We found that state of things existing in Hamilton where there are 85 hotels licensed, and it seemed to me that 14 hotels is a considerable number for a town of less than 10,000 inhabitants, presuming they all do a legitimate hotel business. I suppose it is not the duty of the Commissioners to know whether they do a hotel business or not, if they have the equipment?—If they have the equipment that meets the requirement, is the first thing that the Commissioners have to consider in granting licenses. For instance, if we find next year that any of these hotels are not used for the purpose of hotels, they are likely to be cut off.

4631a. You depend on the report of your Inspector?—We depend a great deal upon his report.

4632a. How often is he supposed to inspect these places?—He is supposed to inspect all the places officially four times a year; but to my own knowledge he goes around oftener than that.

4633a. He can go as often as he likes?—Yes.

4634a. Drop in on them at any time?—Yes. I think he makes it a rule to go round town once a week.

4635a. How many shop licenses are there?—Only two. We had one wholesale license last year, but none this year.

4636a. Has it come to the knowledge of the Commissioners at any time that the holders of shop licenses sell in less quantities than the law allows—by the glass, for instance?—Not since I have been Commissioner. There may have been cases in years gone by.

4637a. It was since you were Commissioner that there was an election for the reduction of licenses in Woodstock?—No, that was prior to my time.

By Judge McDonald :

4638a. Were you in office when application was made to the Board to reduce the number of licenses, after the vote was taken?—No, I was not Commissioner then. That was the year before I was appointed.

4639a. You say that you think it only right to give a year's notice to people that next year the number may be reduced?—I think that is fair between man and man.

By Mr. Clarke :

4640a. You were Mayor last year and the year before last?—I was.

4641a. Have you any doubt at all as to the improved condition of things in the town now as compared with the Scott Act period?—I certainly believe there is less drinking, but of course the temperance sentiment is also gaining throughout the country. In consequence of improved temperance feeling, there is less liquor drank. People are now being educated to use less and less all the time.

4042a. It is sometimes said that the Scott Act is an educator, and that the good effects of it are found even after the law has been repealed. What is your opinion regarding it?—I do not think so. I think it is better to have a license law thoroughly enforced, and gradually reduce the number of licenses.

MALCOLM DOUGLAS.

4643a. As a matter of fact, did the Scott Act demoralize the community to a greater or less extent?—I cannot say that it has done so in Woodstock.

4644a. Things were just about as good under the Scott Act as they are under license?—I cannot say that I have seen a great deal of difference.

4645a. Then the Scott Act was just about equivalent to a license law, that is, it did not have any more injurious effects than the license law has?—Well, I think that a person could get liquor then just as easy as he can now, so far as that is concerned.

4646a. Do you mean to say that it was a good thing to have a law on the statute-book that was constantly and flagrantly violated as the Scott Act was?—No, I do not believe it was a good thing.

4647a. Does it promote the moral well-being of the community?—No. I do not think it is a good thing to have a law of that kind.

By Rev. Dr. McLeod :

4648a. Is the present license law violated?—I believe so, but it is a difficult thing to prove it. I know that the Inspector has strict instructions to prosecute every violation, and he takes every means within his power to get evidence to secure conviction, especially with regard to the Saturday night and the Sunday provisions. I may say that while I held the position of Mayor in the town, my first instructions to the Chief of Police were to enforce strictly the Saturday night and Sunday law.

J. C. MILLER, of Woodstock, hotel-keeper, on being duly sworn, deposed as follows:—

By Judge McDonald :

4649a. How long have you resided in Woodstock?—Going on four years.

4650a. When you came here had the Scott Act gone out of force?—Yes, but I have had three years' experience of the Scott Act in Port Elgin, county of Bruce.

4651a. How large a place is Port Elgin?—About 2,000 inhabitants.

4652a. Please state to us what your experience was?—Well, the Scott Act was advocated there for quite a while. The temperance people used to talk to me a good deal on account of my having about the only licensed house of any consequence. They told me that, if they got the Scott Act, I could raise my rates for meals and lodging, and the temperance people would support me and help me, and all that kind of thing. Anyhow, the Scott Act came into force, and I stuck to the Scott Act in good faith from the 1st of May until the 12th of July, that was the day of the Orange celebration. On the 11th July I made up my mind. I said to myself: There has got to be something done, business is going back. There was quite a difference in the receipts. So I went up to Sarnia and got a five gallon keg of whisky, and brought it home and put it down cellar, and I got a lot of lemons, the syrup and the whisky, putting in half water, and divided it all up into shakes. On the 12th July I brought that upstairs and sold it. They asked for whisky. I said: I don't have it, but I have got what I call a conundrum here. I made about 11 gallons of that and sold it off in a little while. Then I sold this blue ribbon beer, supposed not to be intoxicating, but I did not sell that with my other temperance drinks. Occasionally I got some lager beer from another hotel man, and I ran it up into bottles and sold it as blue ribbon beer. That was the commencement of my breaking the law. Anyhow, the temperance people in Kincardine, 21 miles south, got a couple of young fellows—it was proven that they gave them \$17—to come up and buy liquor from us. They went back and gave information to these people against a widow woman, named Mrs. Underwood, myself and two others in Port Elgin. A day was set for the trial, and a lot of these Kincardine people came up with a temperance advocate, and brought these witnesses along with them. I went up and got hold of these two witnesses, and brought them into my hotel up stairs into an attic. I knew these fellows, because I used to live in Kincardine. They were low characters, and

would steal or do anything else. After I got them up stairs I said to them: Now, boys, I know what you are here for. You are not doing this thing on principle, it is money you are after. Now, if you will clear the four of us I will give you \$40. They said they would do it, and I put my hand in my pocket and took out \$40 which I gave to one of the men named Robert Walker.

By Rev. Dr. McLeod:

4653a. Did they clear you?—Yes. These two fellows swore that they did not have anything but “pop.”

4654a. Then you paid them \$40 to perjure themselves?—Well, I gave them \$40. I could not really say whether I had ever sold them any drink contrary to law, and I cannot to this day remember. If I were speaking with my last breath, I could not say whether they got anything in my place or not.

By Judge McDonald:

4655a. In conversation with you, when you approached them in this manner, did they state whether you had sold them anything?—No. I never asked them.

4656a. How did you know they had come up for that purpose?—Because I heard so.

4657a. Did they admit it?—No, I did not ask them. I said: I know you fellows are not doing this thing on principle, it is money you are doing this thing for. Now, whether they ever had anything in my place, I do not know. If I were put on my oath now, I would swear that I do not know. But I am satisfied they were prepared to swear that they had. But when the trial came on they swore they had “pop.” The counsel asked them if there was anything in the pop. Well, they said, it was pop. The counsel asked, was it white pop, or red pop, or blue pop, and they both said, it was pop. Counsel said: What is pop?—The witnesses said: pop is pop. That was just the evidence given, and the Court dismissed the case.

4658a. Were the other cases dismissed also as well as yours?—Yes. Then we were not hauled up again until a year afterwards. Pat. Heffernan, constable of Walkerton, came and gave me a subpoena. He said: If you will admit this, I will not serve the witnesses. I said I would not admit anything. Then he put his hand in his pocket and gave me another subpoena. I asked if he had any more of them, and he said he had not. A day was set for the trial. The Police Magistrate lived at Kincardine and he used to haul them up from all around Warton and Tiverton; he used to get about forty at a time.

4659a. Did they take you off to Kincardine?—He came to Port Elgin. He always stayed at my place. When he came in that evening he said: I have got two subpoenas for you for breaking the Scott Act. I said: I will admit the two cases, and will give you a check tomorrow. He said: all right. So I went along for three or four more weeks, and I got another subpoena. A day was appointed, and when the Judge came I told him: I have got another subpoena, but I do not know now whether it is a first or a second offence. He said: Well, it is a first offence, the second offence has got to be stated so on the subpoena. Well, I said, to save another \$50 I guess I will admit this too. After that I tried an experiment. I got a big bottle of whisky and brought it down cellar in my hotel. I never drink anything myself, I am a temperance man. But sometimes a fellow travelling wanted a drink, and used to ask me if I had anything. I said: I had got something for myself, and in that way I could give him a drink. But some of the town fellows, and some respectable people, drank once in a while, so I was hauled up again. They put me in the box and asked me if I had liquor in the house. I said I had. They asked where I had it; I said, down cellar, and I had liquor up stairs in my own room, and I had liquor in the bar. The counsel said: You have got liquor in the bar, have you? I said yes. He asked: What have you got it there for? I answered; for my own use, and sometimes I treat a friend. The counsel asked for a conviction, but the Magistrate said: No, you will have to prove sale. They brought some witnesses against me and asked them if they had any liquor at my place on that date. They said, “yes.” “What did you have? They said they had whisky. Did you pay

J. C. MILLER.

for it? No. How did you come to get it?—Mr Miller asked me to have some.” Well, that case was dismissed. After that I went out and got a barrel of sweet cider. Of course the Scott Act says, you shall not sell cider; but we can, because it is not intoxicating. I sold sweet cider. A person would come in and ask for a drink, ask for whisky. I said: “I do not sell any whisky.” “What do you sell?”—Pop, wine, cider and lemonade. Will you have cider?” “Yes, I will take cider.” So I gave him cider, and he paid for it. After a little while I would ask him to have something with me. Well, I was hauled up on that, and I beat them right off. I never was brought up but what I beat them. No person wants to stick to the law better than I do. I have no respect for liquor, but that just shows how the Scott Act was enforced. I went into the thing in good faith, and would have stuck to it if the temperance people had assisted me, but they would not. I found out I had to break the law to protect my wife and children. If the temperance people had come and bought me out and recompensed me I was willing to quit it and go away, but they would not do that.

4660a. Did this state of things continue through the whole three years?—Well, they got tired of me. The last year they never bothered me.

4661a. The last year did you keep on the same system?—No, I kept on selling right straight along, openly,

4662a. All kinds of liquor?—At first I got my liquor from a fellow in Stratford. He used to make it himself, and it was pretty tough stuff. We could not get it in a respectable way by the barrel, and we had to get it in five and ten gallon kegs, in somebody else’s name. That is the way I used to get my supply. I used to get my liquor in the name of some person at a distance, a brother-in-law, and had it shipped in his name. The trouble was that the liquor that was sold was bad, it was adulterated. There was a good deal of it made in cellars, and up stairs in rooms. People can go into a closed up room, and work and study how to make the stuff, and how to make the most out of it. I am perfectly satisfied the Scott Act was a very bad thing for the country. I know people committed any amount of perjury. I heard people say so myself, respectable men. I know one man that is well off, rich, he was supposed to be worth \$40,000 or \$50,000. Then there was a merchant, and there was a gentleman who was a large Government contractor, all very respectable men; and they told me themselves they did not think they were perjuring themselves, because the Act was an imposition.

4663a. We have found the question to arise as to whether a man can conduct a hotel at the prices ordinarily charged for board and lodging of travellers, so as to make it remunerative, without having a bar?—No, he cannot do it.

4664a. Why not?—Not at the prices we get. Now, I will just tell you my experience.

4665a. Before you go further—Take the case of men who came to your house, who are total abstainers, do you mean to say that you are furnishing them with board and lodging at too low a rate?—Yes.

4666a. Do you mean to say their board and lodging are really being paid for by the men who drink at the bar?—It is a good deal that way.

4667a. Now, is it quite fair towards the total abstainers, to put them in that position?—Well, that is the way it is all through Canada.

4668a. A hotel-keeper whom we examined in one place, made a different statement, and I will tell you what he said. He said that what a man paid for his food and lodging does pay the value of it; but owing to the fact that the hotel-keeper does not know how many guests he may have in a day, and as he has got to be prepared with space for a larger or smaller number, with servants and everything of that kind, keeping a hotel without a bar does not pay. He has to be prepared with servants, and so forth, for guests who may not come, and therefore it is that the bar is needed to make the hotel pay?—You see it is not what a man consumes, but it is the expense in connection with lodging him that makes the chief item of outlay. Now, we run our hotel at \$2 a day. We give a special rate to *bona fide* commercial travellers of \$1.50 a day, and the use of a sample room. Now, a lot of travellers come to my house; they use that sample room, there are four big lights in it, and a fire; and I am paying a man \$15 a month to handle their baggage, and a girl to scrub the room and keep it clean. A commercial traveller may burn gas till 12 o’clock or 1 o’clock at night. Then he has his bed-room, and his

gas there. Then there are two sheets, two towels, and two pillow slips to replace every day, and a girl to do it. Now, if that man does not go into the bar, I lose money on him.

4669a. That man is only paying \$1.50. Take the case of an ordinary traveller who pays \$2 a day?—I could live if I got \$2 a day all round. If I could get business—I would have to do more than I am doing now—I could live without a bar by charging \$2 a day all round.

4670a. Then it does not pay you to furnish those sample rooms and extras?—No.

4671a. You have spoken about the scant amount of support you got from the temperance people, and that you were very much disappointed?—Very much disappointed.

4672a. Did you find any willingness on their part to pay increased rates?—No. I must say, coming down to the fine thing, I am a temperance man as much as any man in this room, but I have a family to support, and I have got to support them, and I am not particular what kind of business it is.

4673a. At first did you attempt to raise your prices under the Scott Act?—I was waiting to do it, but I could not see my way clear, because I found other people were selling. I found in several cases, travellers coming in on the 11 o'clock train, and they wanted a drink. When I said I had not anything, they would go right down to the other hotel, and I have known them to do that at three or four o'clock in the morning. Now, if I had drink in my house, I would have got them off to bed at twelve o'clock. I know another man, a Dr. Cycler, who had two boys. During the Scott Act they came in and wanted to drink. They came up to the bar and I said, "Doctor, I have not got anything intoxicating, no liquor, merely pop." "Oh, yes, you have," he said, "hand it out immediately." I said, "No, I have not doctor." He got mad over the thing, and said that I did not use him right, and he paid his bill, and, along with the two boys, went down to a farmer's house and stayed there, and he always stayed there afterwards.

4674a. Did you find there was any abuse of the law in that section of the country, by doctors giving prescriptions to people, nominally to get medicine, but really to get drink?—Yes, that has been done.

By Rev. Dr. McLeod :

4675a. You found a little difficulty after all in selling under the Scott Act?—Yes, I would not go through the Scott Act again for the world.

4676a. You had to resort to tricks?—Yes, dirty tricks.

4677a. Not very dignified?—True. One time I bought a barrel of whisky and ran it all off into jugs, which I kept upstairs in the attic. One day a friend came and told me that the Inspector was coming, and I ran with all haste and gathered up those jugs and carried them down the stairs and put them in a hole under the kitchen, and locked them up. There were a good many jugs, as the barrel contained 42 gallons, and when I got through I was pretty tired.

4678a. Did it occur to you that you were guilty of a criminal act when you tampered with those witnesses?—I do not know.

4679a. I am not a lawyer, but it strikes me that you were guilty of tampering with witnesses?—I know I did wrong. I suppose I could be punished for attempting to interfere with a man. But I really do not know whether he bought liquor of me or not, and he would have perjured himself if he had sworn he did buy liquor when he had not.

4680a. Did it occur to you that you were making another man party to that criminal act?—I am perfectly satisfied in my own mind that he did not have anything at my place.

4681a. Do you not think it is a serious thing to make that charge against this man Walker?—We never considered those things in Scott Act times. It is different now.

4682a. The other day there was a magistrate who made a statement before the Commission about a constable, and the constable was hunted up to refute the magistrate. You may have made a statement about Mr. Walker that he would not enjoy?—Mr. Walker will take it all right.

By Judge McDonald :

4683a. I understand you to say that your intention was to save these men from committing perjury?—That is just what I did.

J. C. MILLER.

By Rev. Dr. McLeod :

4684a. You were endeavouring to save yourself?—I was endeavouring to save my neck.

4685a. Were you fined at any time for violation of the Scott Act?—I never appeared in court to be fined during the Scott Act.

4686a. How many times did you pay a fine?—I admitted it three times.

4687a. Were you ever prosecuted for a second offence or a third?—No.

4688a. You hold a liquor license now?—Yes.

4689a. Do you observe the provisions of the license law now?—I might criminate myself by answering.

4690a. You decline to answer?—Yes. I suppose I can serve *bona fide* guests with liquor in their rooms.

4691a. Were you one of the men who signed a bond?—No, I did not sign any bond.

4692a. That is, you would not even come under a bond of that sort to observe the License Act?—I would if we had been used right.

4693a. What do you mean by being used right?—I mean that we went into that thing in good faith. I did it for Mr. Farthing's sake, who asked me to go into it. As soon as we had that meeting and drew up that agreement, the temperance people had a meeting.

4694a. You agreed to the bond yourself?—No. At the meeting of the temperance people, one of the ministers said that our meeting in the vestry of St. Paul Church was composed of the three R's, Rum, Rome and Ritualism. When I heard that, I said I did not want to sign it. I said, "If these temperance people don't give us more credit for our good intentions than that, I do not want to sign it."

4695a. You signed the agreement, but not the bond?—Not the bond.

4696a. That agreement was based upon an admitted violation of the license law, was it not?—I will tell you how it was. When Mr. Farthing spoke to me I was not very favourable towards it, but he said that certain clergymen had met together and he wanted me to enter into it, and so I went in with him. I was not going to be a stumbling block to the rest of them.

4697a. But if you had not been, as was generally believed, a violator of the law, you would have said to them: I have no business there, I do not need to go into such agreement?—I wanted to help the thing through for the good of the community.

4698a. But you did not help it through by signing the bond?—No, I did not carry it out, because the law was broken in different places.

4699a. Was that meeting, and the agreement at that meeting in view of an approaching vote upon the reduction of licenses?—No, that is something I never thought about, and I am certain Mr. Farthing did not.

4700a. But it was based upon a general belief that the licensees were violating the provisions of the license law?—Yes, that was it.

4701a. But you decline to answer whether you observe the law now?—I do not think you have a right to ask me that question.

4702a. Yes, we have a right to ask you every question that bears upon the administration of the law. We want to find out how the license law works. We have information here that leaves the impression, on my mind at least, that the law is not well observed by the licensees, and you are one of them?—The law is very binding; and when you ask a fellow to close up at ten o'clock every night, it is pretty tough to stick to it.

4703a. You do not hesitate to say that you violated the Scott Act; why hesitate to say that you violate the license law—if you do?—(No answer.)

4704a. Would you favour prohibition?—I would favour prohibition if we could get machinery to work it.

4705a. National prohibition?—Anything to do away with intoxicating drinks. I will go for it to-morrow. The trouble is they cannot do it; I am satisfied it is not practicable.

By Judge McDonald :

4706a. In reference to this meeting, we have been told that the Rev. Mr. Brady and the Rev. Mr. Farthing met these men who were in the trade, in the vestry of a church. Was this, upon the part of these two clergymen, an honest effort to try and produce an observance of the law in this town?—I am sure it was.

4707a. You stated that seeing the earnestness of that effort, you were willing for one to go in and try and carry it out?—That is it. I did not give them encouragement at first, but I told them that I would not be a stumbling block.

4708a. Was Mr. Brady a Roman Catholic clergyman?—Yes, and Mr. Farthing was a clergyman of the Church of England.

4709a. Do I understand you to say that after these two clergymen had taken that step with these men who were in the traffic, the temperance people held a meeting at which they denounced it as a combination of Rum, Rome and Ritualism?—Yes, they said it was a meeting composed of the three R's, Rum, Rome and Ritualism.

4710a. You told us that, from the way this honest effort on the part of these two clergymen to produce benefit in the community, was met by the temperance men, you refused to take part in it?—Yes.

By Mr. Clarke :

4711a. Was this published in the newspapers?—Yes, it was published in *the Review*.

4712a. In the form of a report of a meeting of the temperance people?—Yes.

4713a. And was the statement published in the paper that this was a meeting of Rum, Rome and Ritualism?—Yes, the three R's.

4714a. Are you a total abstainer yourself?—I am.

4715a. How long ago was that meeting?—That was four months before the vote was taken. The vote was taken last year.

By Rev. Dr. McLeod :

4716a. There is no doubt about the honesty on the part of the two clergymen referred to, and this honest attempt to produce an observance of the law implies that there had been a non-observance of the law on the part of the licensees prior to that meeting?—I do not comprehend.

4717-18a. I mean that the fact that these ministers and others met together to bring about an agreement amongst the licensees to observe the law, was based upon their belief that you were not observing the law?—I am perfectly satisfied of that, because when Mr. Farthing approached me he said that Father Brady had met him on the street and wanted him to go into an effort to get the hotel-keepers to pledge themselves not to break the law from seven o'clock on Saturday night until six o'clock on Monday morning. I did not see any sense in it. Then Mr. Farthing told me that he had spoken to Mr. Thompson down here at the Commercial, and to several others, and they were perfectly willing to go into it. I talked it over a little while with Mr. Farthing, and finally I said that I did not want to be a stumbling block.

4719a. But when you heard that some person had said that it was a union of Rum, Rome and Ritualism, did you believe that that justified you in continuing the non-observance of the law?—Well, I am only speaking for myself.

4720a. Does the observance of the law turn on what somebody says or does not say?—Of course, you place yourself in my position. I had a license to sell intoxicating liquors, and I went into this thing to help it along, to help keep the law during those hours, and then for people who had been advocating temperance all their lives and making a great hobby of it, to come up and ridicule the thing in that way—it kind of nettled me.

4721a. And you concluded you would go on and break the law as you liked?—I did not say so.

4722a. You would not agree not to break the law?—I do not mean to say that I broke the law. I do not say anything about it. My reputation as a hotel man will stand in this town anywhere.

The Commission then adjourned.

J. C. MILLER.

WINDSOR, October 11th, 1893.

The Royal Commission on the Liquor Traffic met this day at 10 o'clock, a.m.

Present :

JUDGE McDONALD.

MR. E. F. CLARKE.

REV. DR. McLEOD.

JUDGE McDONALD.—The sitting of the Royal Commission on the Liquor Traffic is now open for the despatch of business. I have to explain that the Chairman of the Commission, Sir Joseph Hickson, who has just returned from Europe, is not with us to-day; and Mr. Gigault of Quebec, another member of the Commission, has not as yet joined us upon our Ontario tour. The subjects upon which we have been charged to obtain data, are as follows:—

1. 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 those measures in each case.
4. The effect that the enactment of a prohibitory liquor law in Canada would have in respect to social conditions, agricultural business, industrial and commercial interests, and the revenue requirements of the municipalities, the Provinces and the Dominion; also as to its capability of efficient enforcement.
5. All other information bearing on the question of prohibition.

Her Majesty's Commission was opened at Brockville on the 2nd October, for this Province. Therefore we will not have the Letters Patent read again. The usual rule is to call the Chief Magistrate of the town when he is present. As I do not see him here, we will call upon the Police Magistrate.

ALEXANDER BARTLETT, of Windsor, Police Magistrate, on being duly sworn, deposed as follows:—

By Judge McDonald :

4723a. For how many years have you been Police Magistrate?—Since 1878. I might say further that I have been connected with matters of justice since 1858. I was Clerk of the town up to 1878, and since that time I have been Police Magistrate.

4724a. Since you have had an official connection with the affairs of the town, has there been much increase in the population?—It has increased from 2,000 in 1858, to about 11,000 at present, perhaps more.

4725a. Have you here an orderly and law-abiding community?—I think so. I think we are certainly as orderly a town as any town of its size, perhaps, in Canada.

4726a. You have peculiar conditions here, I suppose, owing to a very large city being so near on the other side of the river?—Yes, and yet we are not so much troubled from that as you would imagine. I may say that we are accustomed to put our criminal laws into force pretty effectively, and they know it on the other side.

4727a. Is there a good feeling between the officers of justice on both sides of the river, and are they ready to aid each other in preserving good order?—There is the very best of feeling. Our police and the police of Detroit are on the best terms. I may say that I have also two men of the Ontario Provincial Police under my charge, besides the police of the town. As you know, this is a jumping off place, and we are receiving tele-

grams almost every day of persons running away from some place or another, and our officers are here to interrupt them on the railway, or to see after them after they go to Detroit. I may say further that I am an Extradition Commissioner as well. I do all that business here, the County Court Judge scarcely does any. The fact is, we allow prisoners to be taken from here, and they do the same over there to some extent, without going to the expense of a trial for extradition, in, perhaps, nine cases out of ten.

4728a. Prisoners exercise their option in going backwards and forwards?—Exactly. We allow them their choice. We generally explain the law to them, and tell them that it is entirely voluntary with them whether they go there or not.

4729a. What class of crime usually prevails in this section?—The Chief of Police, who acts as clerk, has a tabulated statement which he will give you. We have considerable drunkenness here.

4730a. You have never had a prohibitory law in force in this county?—No.

4731a. Has the Scott Act been voted upon at all in this county?—I think it has never been before us.

4732a. Do you know whether separate municipalities of this county have adopted local prohibition?—Yes, the Dunkin Act was adopted in the township of Colchester, and I am not sure but that it is there yet. The town of Essex is still under the Dunkin Act, so I judge that it is in force in Colchester.

4733a. Do you know whether there are any townships in your county that have taken votes under the recent Ontario Act, allowing a township or village to vote on this question?—I do not think so, not so far as I remember.

4734a. You say there is a certain amount of drunkenness here. Can you tell us whether there are many licensed houses of public entertainment?—There are a good many, in fact I think there are too many. I am under the impression that we have 22 or 23. The town clerk will give you that information.

4735a. Do the cases of crime that come before you for investigation, other than those of drunkenness, arise in any way from the liquor traffic?—I would not say that now. You will remember that the new Extradition Act between this country and the United States came into operation, I think in 1890. Previous to that this town was a *rendezvous* for quite a number of what we call crooks. Some of our principal hotels had as many as ten or fifteen; and sometimes I have seen as many as thirty or forty fugitives from justice here from the United States. Since the new Extradition Act we have been rid of that altogether.

4736a. It was not owing to the license that they were here?—Not at all.

4737a. They were men, in most cases, who had committed embezzlement in the United States?—Yes, refugees from justice. We have nothing of that kind here now at all.

4738a. Aside from cases of drunkenness, can you tell us whether a considerable proportion of the other offences, such as larceny and burglary are committed by persons of intemperate habits?—I should think there would be from 50 to 60 per cent, at least, of the indictable offences.

4739a. Do you find many cases of what we call petty larceny committed by people who steal something to get drink?—There is a large amount of that.

4740a. Have you much poverty in Windsor?—Not a great deal. We have an arrangement with a number of ladies in this town who have established what they call a Home for the Friendless, and what poverty we have is entirely controlled by that body.

4741a. Can you tell us who is the President of that Home?—Mrs. Thorpe, and I think Mrs. Radcliffe is the matron. Mrs. Thorpe, who is a very excellent person, I think would be willing to come before the Commission and tell you how many of those people are there through drink.

4742a. Do you yourself favour the enactment of a prohibitory law?—I do not think I would.

4743a. Have you had any experience of a prohibitory law?—No, but I have had experience in enforcing the ordinary license system.

4744a. Do you find any difficulty in enforcing that?—Of course I do.

ALEXANDER BARTLETT.

4745a. Are there many cases before you for breaches of that law?—A good many. I have not had much difficulty in enforcing the law for this town; offenders generally plead guilty. But there are cases in which perjury is committed of the very worst description. I may mention that I am Police Magistrate for the north riding of Essex as well, so that I go clear to the town of Tilbury and the town of Sandwich. In the town of Sandwich there was a case tried before me where four persons were witnesses, and I am perfectly satisfied the whole four committed perjury, swearing to a falsehood without as much as a qualm of conscience. I feel that there is more perjury committed with regard to the liquor traffic than there is in any other class of cases brought before us.

4746a. To what do you attribute that?—I attribute it to this fact, that people do not like to be confined by prohibitory law, and when they want to get liquor they are very lenient with their conscience, and think it is only a moral offence to get it contrary to law.

4747a. Is there a certain amount of sympathy for a man who is in the traffic?—Yes, no doubt about it. In my experience I have seen very respectable persons give equivocal evidence in liquor cases, who in other matters are perfectly reliable.

4648a. Suppose these people were called in some civil case in which they were interested, suppose they were owing a debt, do you believe they would tell the truth then?—I think quite a large proportion of them would. These four men that came before me last week were the ordinary run of men, and I have no doubt they would tell the truth in other cases.

4749a. But in liquor cases they will stretch a point and try and clear the liquor seller?—Try to shield him.

4750a. Have you very many such cases?—Not many.

4751a. You say they generally plead guilty when you had them before you?—Yes, I have collected quite an amount in fines. There must have been ten or twelve cases brought up, and most of them pleaded guilty.

4752a. Were they for Sunday selling, or selling on Saturday nights?—Some for Sunday selling, and some for selling without a license.

4753a. Have you many illicit places in Windsor?—Not so far as I know. The Chief of Police will be able to inform you on that point. I think if there are any, they are in the rural districts.

4754a. In case a prohibitory law were enacted, prohibiting the manufacture, importation and sale of spirituous liquors, would you deem it right that brewers and distillers should be remunerated for their plant and machinery which would be rendered useless?—Yes. It would ruin these gentlemen if they were not remunerated. There is no question about that. We have near this town the largest distillery in the country: I think it is next to Gooderham's, I mean Walker's distillery. Now, if the manufacture of liquor was stopped at Walkerville, it would ruin that place.

4755a. Do you deem it right in such a case that the owner should be remunerated for his plant and other things that would be rendered useless?—I would not say to the full extent, but I should think it would be well to do that. I do not think you are going to succeed in any other way. But the question with me is: would it be possible for us to enforce a prohibitory liquor law and prevent its being brought in from the United States? Here in Windsor it would be of no advantage to us, because it is sold almost without restraint just across the river.

4756a. Do you think such a law could be enforced in this community?—I think it might be enforced if the manufacture and sale were absolutely prohibited. But the mere fact of prohibiting the manufacture would be of very little value if it could be imported.

4757a. Do you mean there would be importation of liquor from over the river?—I will tell you my argument. It has often been said to me that if we put the Sunday law strictly in force here, our people will go over the river and spend their money there. That indicates to my mind that there would be a large amount of drinking going on on the other side of the river by people from this place, if we had a prohibitory liquor law.

4758a. It is not that you fear liquor being brought from there here, but that people will go from here there and drink?—Yes, and come back here.

By Mr. Clarke :

4759a. And your police will have to take charge of them after they come back?—In all probability.

By Judge McDonald :

4760a. We will be glad to hear any suggestions you may desire to make on the subject of the license law?—I am in favour of raising the license fee. My idea is that the more places you license, the more loafers you have. They are points around which loafers congregate. If we could shut up a great many of these places, I think it would be a blessing to the community. I am strongly opposed to this indiscriminate licensing of everybody who wants a license. I think if our licenses were raised we would get more respectable people to take hold of the business.

4761a. You speak of loafers about these places. A witness before us, yesterday, at Woodstock, I think it was the governor of the jail, said that he traces crime to three principal sources, according to his experience, viz. : idleness, drink and sensuality. He thought that idleness was the most prolific cause, and that idleness leads to the drink habit. What would you say as to that, according to your own experience?—I think he is not much out of the way. I have noticed that respectable places won't allow idlers and loafers about, but the low places are a sort of *rendezvous* for that class of people. I have noticed that the lowest of our groggeries are great centres of idleness.

4762a. Have these low groggeries comparatively increased in numbers?—Perhaps not so much in the town of Windsor as outside of it.

4763a. Have licensed places increased in the country?—I think in the town of Sandwich, and also in the town of Windsor, we could easily dispense with a great many licensed places. In this town we could dispense with five or ten very easily, because there must be five or ten that have no accommodation, or very little for guests coming into town. My opinion is that instead of having what may be called saloons, we ought to have places where a traveller would be taken care of.

4764a. Where does your Inspector of licenses reside?—Our Inspector is Mr. Pacaud, and he resides in town. I think it would be well to call him here.

4765a. Who are the License Commissioners?—Mr. William McKee, who lives in town; Mr. Nuttson, who lives in town, and a French gentleman who lives in the country.

4766a. Are there any other suggestions you will like to make?—I do not know of any.

By Mr. Clarke :

4767a. With regard to the number of places where liquor is sold, the Council can reduce the number, can they not?—The Council can do it, but the Council have not done it.

4768a. Have any representations been made to the gentlemen composing the Council as to the advisability of reducing the number?—I do not think so. I do not think there has been a single petition or anything of that kind got up.

4769a. Then there is no general desire to have them reduced?—No. I think the Council are rather pleased to have an extra fee. That seems to be the idea at present. I have been very anxious to raise the license fee, and I think a vote here on that question would be in favour of raising the license.

4770a. Would that be for the purpose of increasing the revenue that the town derives from licenses, and lowering the burden of taxation upon the people generally?—I do not think it would increase the revenue, because if they raised the license fee, a number would go out of the business. From the few you would get about as much as from the many at present.

4771a. Would there be less drunkenness if there were fewer places?—I think so.

4772a. If the license fees were increased what class would likely remain in the business?—I think there are a number of very respectable men in the business now who would remain in.

ALEXANDER BARTLETT.

4773a. Do you think it is advisable to have the trade in respectable hands?—It is far better.

4774a. Why?—We would have better houses and more respectable houses.

4775a. Would it not be well to make the traffic as disreputable as possible by giving disreputable people licenses?—Well, it would cause more work to the police, that is, the town would not be quite so orderly as it is at present.

4776a. You think it is an advantage then to the morals of the community, that if saloons and hotels are to be licensed, respectable people only should get the license?—Yes. We have some saloons here conducted admirably. There is one in my mind that does not violate, so far as I know, either the Sunday law or any other. This man has been a long time in the business, and he has found it to his advantage to keep strictly within the law. He has never been before me in all the fifteen years he has been in business.

4777a. On the whole, has drunkenness and the drink habit been increasing or diminishing in this town during past years?—I think it has decreased within the last five or six years. I think the convictions were more numerous in proportion to the population ten or fifteen years ago than they are to day.

4778a. To what do you attribute the decrease?—I do not know what the cause has been. Sometimes I think the law has been more effectually put in force.

4779a. They are afraid to face the music, is that it?—Perhaps there is something in that. But I do not think our convictions have increased, hardly any, within the last five or ten years.

4780a. What have you got to say with regard to the treating custom, people going into bars and inviting others to come in and drink? Don't you think that promotes drinking and drunkenness to a great extent?—I have no doubt about it, although no one ever took me in to drink.

4781a. Would it be a good thing if there were no open bars, if they were all closed up?—I think that would be an improvement. The open bar is no doubt a source of enticement. When I was in the old country I noticed in going through Scotland there were no open bars. Although Scotland is quite a place for drinking, yet I saw very little of anything that was disreputable, no loafers around these houses. If you wanted drink you had to send for it and get it in a private room.

4782a. Would not that be an improvement?—That might be better. I think there is no doubt that the drinking customs are largely attributable to the treating system, although I must confess that my experience is very little.

4783a. I think you expressed yourself as not favourable to a prohibitory law under existing circumstances?—I do not know what good it would do us here in Windsor.

4784a. Would a similar result be obtained in other places?—I should fancy it would, right along the border. It would be a very serious matter to enforce a prohibitory law on the frontier. I have been a temperance man myself for fifty years, ever since I came to this country. I have assisted our friends, the temperance people, in putting the law into force so far as possible. But I have found this difficulty among the temperance people, that they do not assist us as much as we would like to have them.

4785a. But the community has the advantage of their personal example and habits?—Yes, we have that.

4786a. In what other way should they assist you?—No doubt a great number of reports come into the License Inspector from the temperance people, but I have observed that they keep in the back ground, they will not come boldly forward and give evidence of what they know. It would be a good thing if they would do that. Of course we know that an informer is looked upon with a great deal of suspicion, he is a person that is hounded by the community. I do not know why that should be so with regard to putting liquor laws in force any more that with regard to any other law; but it is a fact which we cannot explain. It has frequently occurred in other places, but not here, that liquor informers have been brought up for perjury. You see that about Hamilton and London.

4787a. Would you expect the temperance people to come forward and testify in court?—They might act as a sort of moral police and help us.

4788a. Would you have them go into bars during prohibited hours to see if the license law was being observed, and act as Inspectors and policemen?—I do not see why they should not.

4789a. But there are officers specially to do that duty?—That is very true. But if I found a person giving liquor to my son, nothing would hinder me from going in and taking him out of that place, and arraigning the liquor seller.

4790a. You have had no experience of the operation of the Scott Act?—None whatever.

4791a. Do you know anything about how the Dunkin Act worked in this township you speak of?—I think it did curtail the selling of liquor, so the Inspector told me. The difficulty was that there was a good deal of clandestine selling.

4792a. Is there any village or town in that township without a license?—Yes, Harrow has no license.

4793a. What is the state of things in Harrow?—There have been several prosecutions there for selling without a license.

4794a. Has the sale been going on long illegally?—I think not. They are selling, but the sale is very small compared with what it would be if it was a licensed house.

4795a. You think in these hotels, where there are no licenses, there is less liquor sold than with a license?—There is no question about that.

4796a. Do you know whether the effect of the operation of that law has been to lead people to bring liquor into their houses?—I cannot say as to that. I think that township was pretty free from drunkenness. There is a big population in that township, and perhaps it is not so orderly sometimes as others. There is a large coloured population there, and I notice that when they come up here or go to Detroit, they get on sprees. I have had occasion to convict some of them for being drunk and disorderly on their way back home. They do not get it so much in their own township, but they get it when they go outside.

4797a. They get it when they go away from home?—Yes. I think the Walkerville railway had some little difficulty with some of these people on their trains, going down from Walkerville into the township, and we caught five or ten of them and fined and confined them, so that they have been keeping the peace since. That is an instance to show how they indulge in liquor when they come up here, that they could not get in their own township.

4798a. On the whole, is the license law fairly well observed by the hotel and saloon keepers in Windsor?—I think so. There is one thing I would like very much to see. I have been anxious for the License Commissioners to pass a resolution, or the Town Council to pass a by-law limiting the sale of liquor to 11 o'clock at night. We have not got that.

4799a. What is the hour now?—12 o'clock, and the by-laws are of such a character that I cannot put them in force.

4800a. Have you drawn the attention of the Council to the difficulties?—I have.

4801a. The by-law in its present shape cannot be enforced?—It cannot. We want a resolution to stop the sale of liquor after 11 o'clock, but we have not got it.

4802a. What are the hours for closing now?—I do not know of any. They may drink the whole night, as far as I know.

4803. Up to 12 o'clock on Saturday night?—No, not Saturday night. We will take care of that, because we have put that under the Statute. Seven o'clock is the hour on Saturday night.

4804a. Is not the hour of closing on other days named in the Statute as midnight?—I do not think so.

4805a. Then there is free sale from midnight on Sunday, if there are any customers, until six o'clock Monday morning?—Yes, and from six o'clock Monday morning till seven o'clock on Saturday night. We have that practically. I think it would do a great deal of good if we could only close up these saloons at 11 o'clock.

4806a. Has there been no general demand for this change?—No general demand. We have a very peculiar people here, they do not demand those things.

ALEXANDER BARTLETT.

4807a. Has the attention of the Government been drawn to the fact that no provision has been made to cover these hours?—Yes, I have done it myself.

4808a. What has been the result?—I do not know whether they have written to the Commissioners or not.

By Rev. Dr. McLeod:

4809a. What is the license fee?—I think it is about \$250. The Town Clerk can tell you that better than I can.

4810a. You are inclined to believe that the licensees violate the law a good deal? Somewhat, yes.

4811a. According to your statement just now as to time, the only period during which they can violate it is between Saturday night and Monday morning?—Yes.

4812a. And you think they do that between Saturday night and Monday morning, because there is no other time in which they can violate it as to hours?—There are some violations during that time, but I would not say there are many, because we have no drunkenness on Monday morning. If our cells were full on Monday morning, we would then say that it was owing to the Sunday drinking. But that has not been our experience.

4813a. Still you do have some cases before you?—Yes.

4814a. Are these for Sabbath selling?—Yes, we have a good many cases of Sabbath selling.

4815a. And for selling to minors?—None.

4816a. For selling to drunken people?—None.

4817a. For selling to Indians?—We have no Indians here.

4818a. Do you think that all the cases of Sunday violation come before the court?—I would not say that, I think only a small percentage of them.

4819a. The Sunday law, then, is not very strictly enforced?—No.

4820a. You spoke about a notion of some people that if the law were strictly enforced as to Sunday, people would go over to Detroit and buy?—Yes.

4821a. Was that notion put forth by the officials of the town?—No, I think not.

4822a. The suggestion was made in the interest of the liquor dealers?—Decidedly.

By Mr. Clarke:

4823-4a. You gave that as your opinion also, did you not?—I mentioned that as a reason, that if the Sunday law was absolutely enforced from seven o'clock on Saturday till six o'clock on Monday morning—that was the statement that was made—that people would go to Detroit to buy their liquor.

By Rev. Dr. McLeod:

4825a. So that there is really nothing like an absolute enforcement of the Sunday law?—No.

4826a. And the cases you have before you for violation of that law, are only a small percentage of the violations?—I should think a very small percentage.

4827a. When you spoke about some of these places being conducted admirably, will you kindly explain what you meant by that?—I meant so far as the Sunday law was concerned. I mentioned one saloon that I think keeps the law completely, that is, the proprietor shuts up at seven o'clock on Saturday night and keeps it closed until six o'clock on Monday morning.

4828a. Then after that he sells night and day until the next Saturday night?—He can do that if he likes.

4829a. Is that a saloon or a hotel?—It is a saloon.

4830a. Have you provision for saloons here?—I think our town is allowed two.

4831a. And the rest are supposed to be hotels?—Yes.

4832a. Are they hotels?—I should say that six or seven of them were not hotels.

4833a. Who winks at that violation of the law, the Commissioners or the Council?—They pretend to have the accommodation. They show that they have four bed-rooms, and stabling and all that.

4834a. The Commissioners must know whether they have or not?—They will be able to tell you that.

4835a. It is your belief, however, that these are not *bond fide* hotels?—It is my belief they are not. I believe that hotels should be places where travellers and guests can go to find meals and accommodation at all hours.

4836a. I should think there would be scarcely a necessity for twenty hotels and two saloons in a town of 11,000?—Certainly not.

4837a. How many shop licenses have you here?—I think there are four.

4838a. Have the license holders of these shops been before you for violation of the law?—No.

4839a. For selling in smaller quantities than the law allows, or to some one on the premises?—None of those here, but some outside.

4840a. You think the shop licensees here then are observant of the law?—They have been so.

4841a. So far as they have come under your observation and notice?—We have had none of them charged with selling in less quantities than three half-pints.

4842a. You think there are no illicit sellers?—I am not aware of any.

4843a. Have any been before you for unlicensed sale?—Yes. We had one this year, a poor old man for selling beer away at the back end of the town. He was incarcerated for three months, and we let him go. He was a poor sickly creature who began selling beer to his neighbours at the back end of the town.

4844a. It would not be against the law to sell beer, would it?—Yes, lager beer.

4845a. Do you find that the licensees give information against unlicensed parties, or do they pay no attention to it?—I could not say. The Chief will be able to tell you.

4846a. I suppose that with so many licenses, there is scarcely any opportunity for a non-licensed man to sell?—Perhaps that might be the reason.

4847a. You spoke about respectable places, and you thought the fee might be raised so that you would weed out the less reputable places, and confine the traffic to respectable places?—That would be my idea.

4848a. You said these lower class places were the resorts of idlers and rowdies, and the like?—Yes.

4849a. Have you ever observed during your forty years experience, that there is a percentage of people who begin in the respectable places, and who by and by resort to lower places?—It is just possible that is the case.

4850a. Did you ever know them to graduate up?—Very few graduate up, they graduate down.

By Mr. Clarke :

4851a. Are they ever reclaimed?—Yes; we have one institution in town that has reclaimed quite a number.

By Rev. Dr. McLeod :

4852a. What do you refer to?—We have here what they call a gold cure, and I believe it has been a great advantage to quite a number, several have told me that they had gone through it, and that they had been absolutely cured.

4853a. And are they standing firm?—I think that institution has turned out from 50 to 100, and there are only three who have broken through.

4854a. Do you find that that gold cure establishment has had the effect of diminishing the cases for drunkenness that come before the court?—I would not say that, because a good many of the gold cure men are from outside of Windsor. Some of them are from Detroit, some from Chatham, and some from the country.

4855a. So it is not so much a benefit to Windsor people as to people who live elsewhere?—I think not. A poor man is not able to go through the operation.

4856a. Drinking men, as a rule, are poor men, are they?—Most of them that come before me are poor men.

4857a. Does the drink have anything to do with their being poor?—To a large extent.

4858a. You think that it promotes poverty?—To a very large extent. I do not know of anything that is equal to it.

ALEXANDER BARTLETT.

4859a. You said a little while ago that you agreed with a gentleman who was quoted as saying that the chief cause of crime was idleness, and then came drunkenness. Do you think that the drinking itself produces idleness as much as idleness produces drinking?—That is a somewhat difficult question to answer. Drinking is the cause why a large number of persons do not support their families. I have had quite a number brought before me for neglecting to support their families, but unfortunately the new code has taken away from us the power we did have of punishing a man that would not support his family.

4860a. Have you had a good many cases?—A good many cases of that kind and invariably through drunkenness.

4861a. Do you find that these saloons are centres of most of the disorder that occurs in the town?—There is very little disorder from the saloons.

4862a. Does the disorder come from the people who usually resort to these lower class saloons?—Yes, but we have very little disorder within the saloons.

4863a. They are sharp enough to get them out?—Yes. The disorder arises on the public streets of the town.

4864a. But does the disorder come from people who are known to be frequenters of these places for the most part. We have a by-law called the "Public Morals By-Law," and I suppose 90 per cent of the offences against that law come through drink.

4865a. Have you much juvenile crime here?—We have a little juvenile crime, but it is mostly in the way of petty larcenies.

4866a. Do you find that any proportion of that juvenile crime is traceable, directly or indirectly, to the drink habit on the part of their parents or guardians?—No, there are some crimes committed by children of very respectable parents, some of them of wealthy parents.

4867a. Is that the rule or the exception?—I would say that drinking has very little to do with that kind of crime.

4868a. Do you find that the families who are neglected by reason of the drink habit on the part of the head, gravitate towards crime?—That may be a serious matter in several families; but I have in my mind just now two or three boys that I sent to the reformatory at Penetanguishene who were children of respectable parents, honest and industrious people, but they could not control their children, they were incorrigible.

4869a. Are the majority of cases, cases of that kind?—I would say so. We have great difficulty from the idleness of children, and their truancy from the public school. Being situated on the frontier, with an easy boat service in summer time, this is a great place for children keeping away from school, and it would take the whole of our police force to keep the children properly at school in certain seasons of the year. I believe that a large proportion of the juvenile crime particularly dishonesty, comes from that source. Then there is another thing which has nothing to do with the drink habit, which promotes juvenile crime, and that is selling newspapers. I do not believe there is any more prolific cause of crime in this town than the selling of newspapers by children. We have great difficulty with these children. They begin young, and they go right on.

4870a. You mean they are brought into contact with people around the saloons?—Yes, and they attain an unusual amount of smartness, and learn slang and all sorts of bad language.

4871a. I think you said if the number of bars were reduced, there would be less drunkenness?—I think so.

4872a. So you think the bar necessarily produces drunkenness?—I think so.

4873a. Then the fewer bars the lesser drunkenness?—The fewer bars the lesser number of loafers around them.

4874a. Have you much smuggling here?—There is no liquor smuggled, or hardly any. We make it right here.

4875a. But have you much smuggling of other things in a general way?—I suppose there is a little.

4876a. Do you think the revenue law is pretty well enforced?—Pretty well, but still there is smuggling. That is one of the things in doing which you cannot make the people believe that they are doing a great deal of harm.

4877a. Would it be a good thing to abolish the revenue law because it was violated?—I do not know about that, although we might say that free trade between this country and the other side would be, no doubt, an advantage.

4878a. But the violation of the revenue law is not urged as a reason for its abolition?—No, I think not. But as regards the smuggling of liquor, I do not know that there is any.

4879a. Now, just one other question. You are a man of years and of wide experience. From your observation, and especially from your personal contact with criminals of various kinds, what do you think is the effect of the drink traffic and the drink habit upon the social conditions of the community, and upon the morals of the people?—It is deleterious to a large extent, there is no question about that. I would say that from 50 to 60 per cent at least, of crime, is traceable more or less to drink.

4880a. Have you observed what is the effect of the drink traffic upon the industrial interests and general business interests of the community and the country?—By that you mean the labouring classes, and men engaged in various kinds of business.

4880½a. Yes.—I could not say much as to that. You would need to question some of the business men. But there is no doubt a large amount of drinking among the labouring classes which brings a great deal of hardship upon them, and it is pretty general. I mean by that that there are very few absolute teetotallers amongst the labouring or mechanical classes.

4881a. Do you think that fact is chargeable in any degree to the existence of the legalized trade in their midst?—To the legalized trade and to the treating habit. I think there is no doubt about that.

By Mr. Clarke :

4882a. Are the laws against smuggling openly violated?—No, they would not be.

By Rev. Dr. McLeod :

4883a. Are the laws against unlicensed liquor selling openly violated?—No, I do not say that either, and I may give you a little story to illustrate. My predecessor, Mr. Caron, when he was Police Magistrate, was sitting in judgment upon a certain person who was accused of selling liquor on Sunday. Several witnesses came up, and it was proved conclusively that there was no selling on that day, and of course the Magistrate was obliged to dismiss the case. The gentlemen who was defending him is now our County Judge, Judge Horne, and he said to the Magistrate, "How those fellows will lie." "What do you mean," said the Magistrate. "Why, those fellows all perjured themselves." "No, no," said the Magistrate. "That can't be possible." "Why," said the other, "I know, for I was present, and I drank myself."

4884a. Who? The Judge?—Yes. So the Magistrate had to dismiss the case. It was a case of ocular demonstration.

By Judge McDonald :

4885a. You have spoken of boys who sell newspapers? Are they mostly sons of residents?—Yes, the most of them.

4886a. Are any of them orphan boys, with nobody to look after them?—So far as I know, there are no orphan boys selling.

4887a. Do the parents of these boys not exercise control over them?—My impression is that the parents of these boys who allow them to sell newspapers, are doing their children a great damage. Some of them are respectable persons.

4888a. Are there any girls selling newspapers here?—No, I think not. This newspaper selling by children is one of the reasons for the large amount of truancy from the public schools that I spoke about. I suppose about 2000 newspapers come in here from the other side and are sold every day, perhaps more than that, including the evening and morning papers.

ALEXANDER BARTLETT.

By Rev. Dr. McLeod :

4889a. Does newspaper selling do more harm than the drink traffic?—I would not say that, but I say that the children are led astray, I believe, to a large extent from that cause.

By Judge McDonald :

4890a. You must have a reading community there where so large a number of newspapers are sold?—Yes, we are a reading community here.

By Mr. Clarke :

4891a. You spoke about the small percentage of the labouring classes who are total abstainers. Are these men able to find employment all the year round, or have they periods of enforced idleness?—Perhaps a part of the time when there is corporation work. But we have three railroads centering here, with a population of engineers, firemen, conductors, brakemen and so on; of course there is no enforced idleness with regard to them.

4892a. Does the drink habit prevail amongst these railway employes?—No, but they are not total abstainers at least very few of them are.

4893a. Do they drink in any degree to their own detriment?—The railway companies are very severe upon men who drink too much. If a railway man was convicted before me of drunkenness, he would be dismissed from his position.

4894a. Then railway men are not addicted to drinking?—Not addicted to heavy drinking. They are a sober and industrious class.

4895a. They do not have idle spells?—No.

4896a. Take the ordinary labourers that work about the docks?—They are mostly coloured men who do the unloading of coal here, and these are idle during the winter season, and unfortunately many of them drink the most of their money and they are in wretchedness the rest of the year.

4897a. During the idle spell they drink all they make when they are busy?—Yes. I would like to mention another thing. You know that the raising of grapes in this county is an immense business; I believe millions of gallons of wine are manufactured in this county, and at present I believe it is not licensed. I think it would be well for you to understand the extent of that business here, largely done in Sandwich, and also at Walkerville. I think it would be well for you to take into consideration that here is an immense business, that is growing all the time.

4898a. How would that business be affected in the event of prohibition?—That is just the point. At present I think it does not even come under a license law. A man can sell at his own place two bottles or one gallon of his wine, provided it is not drunk on the premises.

By Rev. Dr. McLeod :

4899a. What is the objection to drinking it on the premises?—I will give you an illustration. There is a gentleman near here who has a large vineyard and is a great manufacturer of wine, and he is also a large brick maker. A case came before me where he was charged with supplying each of his men with a bottle or two of wine a day. He charged 15 cents a bottle and charged it against them at the end of the week. It is a well known fact that the men got drunk on that wine. Now, that is not a thing to be encouraged.

4900a. So this man was paying his employees largely in grog?—He was paying them really with his wine. The case is yet *sub judice* and it may go for *certiorari*, but I convicted the man and made him pay \$50, and they are going to appeal it. I considered it just as well, because if they appeal it and my conviction is quashed, then certainly the Government of Ontario will be called upon to require a license for that kind of sale.

By Judge McDonald :

4901a. Take this grape growing industry of which you speak, would the enactment of a prohibitory law break up this business of the manufacture of wine?—I should think so.

By Mr. Clarke :

4902. Is the wine intoxicating?—Oh, yes.

By Judge McDonald :

4903a. Are the grapes grown by the men who make the wine?—Some men do not have enough grapes to make wine, but there are some here who grow their own grapes and make their own wine. Some of them buy grapes from farmers. A most excellent person, if you had time to go to Sandwich to see him, is our friend Mr. Girardin, an old Frenchman, who has a large wine cellar. He is the Mayor of Sandwich. He does a large business exporting wine to Montreal.

GASPARD PACAUD, of Windsor, License Inspector, on being duly sworn, deposed as follows :—

By Judge McDonald :

4904a. How long have you resided in Windsor?—For the last 12 years.

4905a. What is your business occupation or calling?—My official position is that of License Inspector. I am engaged in real estate and loan business. I have also been a journalist.

4906a. How long have you held the position of License Inspector?—Since last December.

4907a. Who was your predecessor?—Mr. Elliott, he had an assistant for three or four years, as he was incapable of discharging the duties of his office.

4908a. Then you have really had an experience of only one term in granting licenses?—That is all.

4909a. How many municipalities are in your district?—About nine municipalities, I think, including five townships, two towns and an incorporated village.

4910a. Has the Town Council of Windsor in any way limited the number of licenses?—No.

4911a. Has the fee been increased at all of late years?—Yes, by a special by-law of the city a year ago.

4912a. What is the fee now?—\$270 for hotels, \$370 for saloons, \$270 for shops, and \$250 for wholesale. There is one wholesale license, and four shop licenses in the city of Windsor.

4913a. How many tavern licenses that have accommodation for travellers?—Twenty-one in Windsor, with accommodation for travellers, and three saloons.

4914a. These three saloons have a hotel license without requiring the equipment?—Yes.

4915a. Were these places all under license when you became Inspector?—No.

4916a. How many changes have been made?—There is one less shop license this year, and one more saloon license than last year, the latter on account of increased population. In the whole electoral division there were 84 licenses of all kinds last year. In the town of Windsor there were 30 last year of all kinds, and this year there are 31.

4917a. Have you any municipalities in your district under local option prohibition?—No.

4918a. We have been told there is one municipality in the county—Kilbury Centre?—That is not in my riding, that must be in the southern division.

ALEXANDER BARTLETT.

4919a. Are the persons who hold licenses, with the exception of this one new saloon-keeper, the same as held licenses last year?—No, there were changes.

4920a. How were the changes made?—By transfer.

4921a. Are they in the same buildings that they were last year?—Yes.

4922a. In some cases a change of proprietor?—Yes, and some did not apply for a renewal of the license.

4923a. Did others take their places?—There is a hotel which was licensed last year, but is not licensed this year, because they are building it over new.

4924a. Take the case of the man who got a saloon license this year, had he been previously in the business?—No.

4925a. Do you think the necessities of the travelling public require as many places as you have in Windsor?—Yes, I believe so.

4926a. You have 21 that are kept for the entertainment of man and beast?—Yes.

4927a. Do you believe all these 21 do receive travellers?—Yes. There are different grades of hotels. There are hotels for travellers proper, and others for the farming community. We have four or five townships the people of which come to market, and every hotel is packed with farmers every Saturday.

4928a. Do you suppose there are any of these hotels which could live without the bar business?—I could not say.

4929a. Do you think the business the larger hotels get from the travelling public, would be sufficient to maintain them without the bar?—No, because it is not every day that the trade is profitable which they derive from the travellers. During the week perhaps they would not serve thirty meals, while on Saturday they would be packed all the time.

4930a. How about these places that have not the equipment for travellers, that are saloons merely? Do you think they are an advantage to the community?—That I could not say. They might be an accommodation for the public.

4931a. Do you think they are a necessity in the community?—I do not see that they could be actually a necessity. But I believe it is necessary, Windsor being on the border, that we should have the same accommodation for the public as they have on the other side. We have a travelling population all along, and it is very convenient for a gentleman who passes by, to find good accommodation.

4932a. What accommodation have the saloons that the hotels have not?—Not any.

4933a. Have they as much as the hotels?—No.

4934a. In that in which they have the same as the hotels, the bar, they do not differ?—No.

4935a. Could not the hotels that are equipped for the accommodation of the public, furnish all the drink necessary?—I do not see why they could not.

4936a. As an official, do you find that the men who are in the traffic, live up to the law and observe the prohibitory provisions?—Well, I think so. I do not believe they observe the law to the letter, but I never hear public opinion complain.

4937a. Have you had prosecutions for selling on Sunday and Saturday night?—Yes.

4938a. So that they do not in all respects conform themselves to the law?—Not by any means. I call your attention to the fact that we are near Detroit, and Detroit does not observe the law. It is very hard to have our citizens go over to Detroit and spend their money, especially on Saturday night. I think we are trying to observe the law the best we can; but they say that if it was observed as we desire, it would not be a benefit to the town of Windsor.

4939a. The law is passed by the Legislature, in its wisdom, for the benefit of the community, is it not?—Yes, for the benefit of the community, and that is why we are trying to enforce it.

4940a. But you seem to say that owing to the proximity of Detroit on the other side of the river, it would be a hardship if the people were not allowed to get their liquor here during the prohibited hours, as otherwise they might go over there?—I might explain that a man who goes out shopping on Saturday night with his wife, if he wants to get a glass of beer and finds that he cannot get it in Windsor because it is after hours, will take his wife over to the American side and will leave his money for the glass of

beer and a cigar, and will get a shave over there, and the business community in Windsor is affected by it. Perhaps his wife will buy something over there too.

By Rev. Dr. McLeod :

4941a. So he will compel his wife to smuggle into the bargain?—Certainly.

By Judge McDonald :

4942a. In your judgment it is well to have a certain amount of elasticity?—That is the reason given by the people here in Windsor. So far as I am concerned, I am to suppose that the law is well enforced.

4943a. But if you were to speak as a citizen or a member of the community, would you concur with the rest of the community in this opinion, apart from your official responsibility?—I would provide that the license fee should be increased. As a general rule in Canada, when we decrease the number of licenses we elevate the grade of the hotel.

4944-5a. In that connection, would you favour legislation that would tend to increase the use of beer and light wines, and reduce that of stronger liquors?—No, because you could not succeed, for this reason, that if a man has a license for beer he finds an opportunity of selling whisky also. That has been our experience here, we have declined to grant any more licenses for beer.

4946a. We are told that you have in this neighbourhood a constantly increasing production of wine?—We have.

4947a. Is the consumption of this increasing?—It is, but you cannot force the masses to adopt wine as a beverage, it must come of their own taste.

4948a. You think it is growing, though?—No doubt.

4949a. Do you think it would be well to favour that growth as far as possible?—Yes.

4950a. Do you think it would be in the interest of temperance to reduce as much as possible the sale of the more fiery liquors, and favour the sale of light wines?—You would have to follow their tastes. I do not believe you can succeed in promoting temperance by that means, because you cannot make the masses drink what they do not want.

4951a. Have you found a growth of temperance sentiment in this community?—No.

4952a. Have you found the people growing more temperate in their habits?—They have never been intemperate.

4953a. Have you found them growing more temperate?—They were not intemperate enough to call my attention to any change. They have always been temperate, because since native wine is manufactured here, it is drunk at tables and in the family circle. Most of our farmers are cultivating grapes and making their own wine, and they drink it.

4954a. Then there is a certain amount of private manufacture going on among the farmers in the community?—Yes, hundreds are making native wine.

By Mr. Clarke :

4955a. Does that native wine take the place on the table of the farmers of the beer and stronger liquor?—The farmers never indulge in such a luxury as beer on the table, but they do with this native wine.

By Judge McDonald :

4956a. How do you account for the desire of these people to go over to Detroit to get liquor?—A man likes a glass of beer without wishing to be intoxicated.

4957a. Don't you think a man can get a glass of beer in Windsor without crossing over to Detroit?—Yes. To a man who wants to rest from the fatigue of the week and wants to go out with his wife, it is very annoying if he cannot get a glass of beer and a good cigar. It rests his mind only to think of it, and if he cannot get it in Windsor, it is worth his while crossing over to Detroit. That is the experience of people here.

4958a. Have you reason to believe that the law is well observed in rural districts by the men in the trade?—Yes, they live up to the requirements of their license.

GASPARD PACAUD.

4959a. Do you favour the enactment of a prohibitory law for the whole Dominion?
—No.

4960a. In case such a law were passed, prohibiting the manufacture, importation and sale, would you deem it right that remuneration should be made to brewers and distillers for their plant and machinery rendered useless?—Of course.

By Rev. Dr. McLeod :

4961a. You stated that you were disposed to think that the law is well observed. Now, what do you really think?—Previous to my appointment as Inspector, I knew that the law was violated sometimes, and I have a moral conviction that it is still. However, I have not seen it myself.

4962a. As an Inspector you must have had knowledge of some violations?—If I prosecute them, they come to my knowledge.

4963a. Do you suppose you prosecute all the violations?—All I know of.

4964a. All that are brought to your attention?—Precisely, all that violate the law under my own observation.

4965a. Still, it is your impression that there is considerable violation on the Sabbath?—Well, that is my experience, as a general rule. I went to St. Thomas when it was under the Scott Act, and they were selling more than they are selling here; I mean to say that you cannot prevent a liquor dealer from selling.

4966a. You cannot even prevent him by a license law?—That is my belief; but as I say, I do not know anything that I can swear to.

4967a. Then I understand that it is your belief that a liquor dealer, when the law prohibits him entirely, will sell, and when the law prohibits him one day in the week, will still sell on that day as well as the others?—Yes, I believe that, but as I am under oath, all I can say is that so far as I can see, the law is well observed. Public opinion seems to be satisfied, I never hear any complaints.

4968a. Public opinion is not particularly strong on the temperance question in this section, is it?—No; but if they were violating the law grossly, public opinion would revolt, and people would clamour and call my attention to the fact. But it is seldom done.

4969a. Perhaps the public have not any better means of knowing it than yourself?—If the law is violated to a considerable extent, of course it would create public disorder, and public attention would be called to it.

4970a. Is there much drunkenness here?—There is none. I do not remember that there have been any cases in court here on Monday morning for a long time.

4971a. Which are the chief offenders against the Sabbath law, the saloons or the hotels? I think you have three saloons and twenty-one hotels?—There was one saloon fined so far in the year, and the hotels have made up the balance of \$530 in fines that I have collected so far this year.

4972a. Have you much money on hand?—I bank the amounts collected.

4973a. How much was the saloon fine?—\$20 and costs. There were some \$50 paid in fines for selling without a license.

4974a. The fine is always \$20, is it?—That is for a licensed man.

4975a. Then there was one saloon fined \$20, and \$530 have been paid in fines altogether; so that, at the same rate, there have been 25 hotels fined?—Yes.

4976a. And you have twenty-one hotels in the city?—I am speaking for the whole riding.

4977a. How many of those were in the city?—Mostly all in the city. I must apologize to the Commission for not having prepared myself as called for by subpoena, but I have had no time to do so, having been in court yesterday all day. There might have been five or six hotels fined outside the city.

4978a. So that nearly every hotel in the city has been fined?—No, by no means.

4979a. If twenty-five hotels altogether have been fined, and five or six of them were outside the city, and you have twenty-one hotels in the city, it would be a fine for every one?—Not at all. I call your attention to the fact that some were fined for selling without a license.

4980a. How many ?—Enough to make up three or four hundred dollars in fines.

4981a. How many really have been fined for not having any license ?—I would have to refer to my books.

4982a. But there has been a number ?—There may be three or four, I suppose.

4983a. Fined for unlicensed sale ?—Yes, \$50 and costs.

4984a. Then the rest, except the one saloon in the city, would be hotels, and five or six of those hotels are outside the city, and the balance are in the city ?—Excuse me. In the town of Sandwich almost every hotel was fined, and I believe there are eight hotels there. Probably six or seven were fined there. One in Walkerville was fined once. In the city of Windsor, I do not think there were more than nine or ten hotel keepers that were fined.

4985a. Do you think that the others have not violated the law, or that if they have it has not come to your knowledge ?—I have good reason to think that they do not violate the law.

4986a. How large a place is Walkerville ?—About 900 people.

4987a. Have they licensed places there ?—Two, one hotel and one shop. They are limited by a municipal by-law.

4988a. Do you think these shop licensees observe the law and sell only in quantities as stipulated, or do some of them violate it ?—This one in Walkerville was fined once, but as a general rule they comply with the law. I never heard any complaint. In town here they are highly respectable persons who hold shop licenses.

4989a. Do you have more applications for license than you grant ?—Yes.

4990a. Every year ?—Yes, lots of them.

4991a. How do you determine between them ?—I spend the month of April in making a visit to all the premises for which they apply for licenses, and I choose the best, having in view the public comfort and public requirements, to the best of my knowledge, and I send my report to the board.

4992a. Do you ever revoke any license ?—Yes. If we have reason to complain of a man, and he has vested interests and has been a licensee for years, we give him a warning and grant him three months' extension as provided by law, and if during that time he does not improve, or does not comply with the desires of the Board, then he is cut off, his license is not renewed.

4993a. Have there been any licenses revoked because of violations of the law ?—No.

4994a. Have there been violations of the law ?—There have been, but the revocation only takes place after the third offence.

4995a. Have there been any convicted for a third offence ?—No, I never have even a second offence.

4996a. Do you understand that no person has ever been charged the second time ?—No. I charged one last week, but the case was dismissed.

4997a. Does this occur, that a man violates the law two or three times, and each offence is a first offence ?—No. I would be fined myself if I were to do anything of that kind.

4998a. We have found that is done in some places ?—I would not venture to do that here.

4999a. And no license has ever been revoked for violation of the law ?—No, not to my knowledge.

5000a. Yet they do violate the law, and are allowed to continue to sell from year to year ?—I do not say that they make a business of violating the law. Of course I have caught a few violating the law.

5001a. You are the only Inspector for the riding ?—Yes.

5002a. I suppose it is quite difficult for one man to keep his eye on so large an area ?—The law provides that I can get all the help I want, and I do get it.

5003a. Do you ever send out detectives ?—If you allow me, I will give you an example. Last week there was a gentleman fined in Windsor for selling liquor on Saturday night, and the only offence he committed was giving a glass of beer to a Provincial Land Surveyor, one of our leading citizens here, who went in there with a friend from the country, and insisted upon having a glass of beer. The hotel keeper did not know how to decline, and he gave him a glass of beer, and he was reported and paid the fine.

GASPARD PACAUD.

5004a. Do you think the cases of violation are generally like that?—Very often. There was another case of unintentional violation, which was reported by a boarder. One Sunday the boarder who was sick, instead of ringing the bell and asking for a drink, came down stairs and asked the bar tender, with whom he was very well acquainted, to go into the bar with him. He did open the bar and gave him a drink, and the hotel keeper was brought before the court. He was not fined because, under the circumstances, I declined to accept the fine, but he paid the cost.

5005a. How did you get your information?—By different parties, what we call detective work. Suppose a hotel is reported to me as repeatedly violating the law in a gross manner, that there is improper conduct in the hotel on Sunday or after hours, then, if I believe those people who make the report, I may think it well to have detectives and find out for myself.

5006a. It is only when a statement comes to you that there is persistent violation of the law that you act?—I do not say so, but I say that when it comes to that, I am doing my duty by trying to see whether it is true or not.

By Mr. Clarke :

5007a. Did I understand you to say that you are opposed to the passing of a prohibitory law in this country?—I am not opposed to it, but I do not think it would succeed.

5008a. Why not?—Because I do not think you can prohibit the sale of liquor.

5009a. Why not?—Because we are too near the United States border, and I think that unless you suppress the liquor traffic all over the continent, you will not succeed in driving it out of Canada. The only result, in my opinion, will be that you will have an inferior quality of liquor which will be manufactured by every one who likes to do it, and you will introduce among our population a poison which will be far more damaging than the liquor traffic is to-day.

5010a. Granting the evil effects which flow from an excessive use of liquor, and which are seen in this and every other country, what steps would you suggest should be taken to minimize these evil effects?—Increase the license fees in order to diminish the number of licensees. If they pay a very high fee they will have to increase their prices for liquor, and there will be no more cheap liquor. If you elevate the standard of our hotels, you will have better men in the hotels. We have many men who would not sell drink to a man who is under the influence of liquor, even though he is not drunk. If he is under the influence of liquor sufficiently to speak a little loud, or to feel a little better than usual, they will decline to sell him any liquor.

By Rev. Dr. McLeod :

5011a. But they will sell to him up to that point?—Not at all. Suppose a man takes a drink, the drink is not felt right away. He may take a drink in one hotel and go into another before he begins to feel the effects of it.

By Mr. Clarke :

5012a. Have you anything to say with regard to adulteration? Is it going on very generally?—It may be more in the country than in the city.

5013a. I mean adulteration with deleterious substances?—I never heard anything about that.

5014a. Do you think, with the imposition of a higher license and a consequent reduction in the number of licensed places, that those places given a license would sell purer liquors?—I think so.

5015a. Why?—Because the better the man who enters the business the better the business is carried on.

5016a. But is it advisable to have respectable men in the liquor business?—No doubt, because I believe it is a very respectable business.

5017a. We are told sometimes that we ought to make it as disreputable as possible, so as to get respectable people to keep away from it and not go into these places. Would that be a good plan?—By no means, not in my opinion.

5018a. You would favour giving licenses to respectable people only?—Yes, by all means.

5019a. Now, is there any good reason why these saloons should continue to exist, mere drinking places, which do not supply accommodation to travellers?—The fact is I never gave the subject much attention, but I always considered that these places have been given a license simply because they make a better display, have a nicer bar and are more tempting.

5020a. Has there ever been a general demand for a reduction of licenses here?—No.

5021a. The Municipal Council can reduce the number whenever public opinion so desires?—Yes.

5022a. Would there be any more illicit sales if the number of licenses were cut off one-half?—I do not think so. I cannot foresee that, but I think one-half would be a little stiff.

5023a. In the adjoining county it is said there is one municipality under the operation of a local option law. Do you know anything of the condition of affairs that exists there?—No.

5024a. You spoke of visiting St. Thomas while the Scott Act was in force there. What condition of things did you observe there?—Open sale as if it was under license.

5025a. No restraint or restriction?—Not at all. I went there as a stranger, and on leaving the train I went to a hotel, and the bar was open as if it had been licensed. I never knew until I got back to Toronto that St. Thomas was under the Scott Act.

5026a. There was no appreciable difference between the Scott Act and a License Act?—None at all.

5027a. Do you think it is a good condition of things to have a law made by Parliament and put in force by the people, flagrantly and publicly violated?—Does it promote the moral interests of the community?—The Legislature ought to pass no law that will conflict with the interests of the people.

5028a. The Scott Act was carried in many counties by large majorities?—Because it had not been tried yet.

5029a. You think the reason it was repealed was because it was found to be unworkable?—Precisely.

5030a. And the condition of things under it was fully as bad as under license?—Yes.

OSCAR E. FLEMING, of Windsor, Mayor, on being duly sworn, deposed as follows:—

By Judge McDonald :

5031a. Has Windsor got a city charter?—It became a city in 1892.

5032a. How many wards have you?—We have now four; before this year we had six.

5033a. How many aldermen has each ward?—Three, the Council this year numbers 18; next January we will only have 12.

5034a. Then you have no reeves in the City Council?—No. We were separated from the county 13 years ago.

5035a. How long have you been Mayor?—This is my third term successively.

5036a. What is your business occupation?—I am barrister and solicitor.

5037a. Speaking as the head of the corporation for a period of three years, do you find that Windsor is a law-abiding and orderly city?—I think so, in view of the circumstances.

5038a. You have difficulties, I suppose, owing to Detroit being so near?—Yes, on account of the proximity of Detroit.

GASPARD PACAUD.

5039a. Is there a class of population that floats backwards and forwards between the two places to any extent?—Yes.

5040a. Have you any manufacturing industries?—Very few.

5041a. Have you any dock labourers who work on the docks?—Yes.

5042a. What is the principal industry here?—It is a residential city and a railroad centre.

5043a. Taking the people as a whole, are they of sober and temperate habits?—I think so.

5044a. Do you see much drunkenness on the streets here?—Very little.

5045a. Have you had any experience at all with the working of a prohibitory law?—None whatever in this riding.

5046a. Have you ever lived in any place where a prohibitory law was in force?—I have not.

5047a. Have you had any experience of such a law?—I resided in the township of Colchester, in this county, about a year when the Dunkin Act was in force.

5048a. Was it carried out well?—That was sixteen years ago. My recollection is that they had a great deal of trouble with it.

5049a. What kind of trouble?—Parties selling liquor without a license or contrary to the law.

5050a. Have you much poverty in Windsor?—I think not. I think we are fairly prosperous.

5051a. We have been told by the Police Magistrate of some society composed of ladies, who look after cases of poverty to a certain extent?—Yes, it is called the Home of the Friendless.

5052a. Does the municipality make any grant to that society?—Yes.

5053a. Then does the society take over the poor?—It takes charge of the charity of the city.

5054a. Do you find that system works advantageously?—Very advantageously to the city from a financial standpoint, and I think from a charitable standpoint.

By Mr. Clarke :

5055a. The plan of relief is systematized in that way?—Yes.

By Judge McDonald :

5056a. Would you yourself favour the enactment of a prohibitory law for the Dominion?—I would not.

5057a. In case such a law were passed, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—I think so.

By Mr. Clarke :

5058a. Why would you not favour the passage of a prohibitory law?—Well, judging from the newspaper reports where it has been tried, it has not been a success. And on principle, I do not think the traffic should be prohibited.

5059a. Do you think it could be enforced if it were passed in counties lying along the borders of the United States?—I do not think it could be enforced here very well.

5060a. What police force have you?—We have a police force of eight.

5061a. Is that force found sufficient to maintain order in the municipality, and see to the enforcement of the by-law?—I think so. We have had it increased within the last few years for the purpose of making it efficient.

5062a. Do you believe it is quite sufficient for the purpose?—I think so.

5063a. What is the population?—In the neighbourhood of 11,000.

5064a. What about this wine industry? Would it be affected by the passage of a prohibitory law?—If a prohibitory law covered the manufacture of wine here, it would injuriously affect our county.

5065a. Is this wine intoxicating that is manufactured here?—Some of it is, and some is not.

5066a. Of course the manufacture of intoxicants would be stopped under a prohibitory law. Would that injuriously affect the county?—I think so.

5067a. Can you give us any statistics as to the volume of this wine business?—I cannot. I know it is quite extensive.

5068a. Now, regarding the number of licensed places in the city, has the Council been moved by representations from the people to reduce the number?—There is some talk in that direction at the present time. I heard of it two or three months ago for the first time.

5069a. But so far there has been no representation made to the Council asking for a reduction in the number of licenses?—No.

5070a. Do you take that as an indication that the public are reasonably well satisfied with the existing condition of things?—No. I think the public would be in favour of a reduction of the licenses and the reason a movement has not been made is that no one has appeared to forward it.

5071a. The Council could take the necessary steps itself, could it not?—I believe it could.

5072a. Is there nobody in the Council desirous of seeing the number reduced?—It does not appear so. There has been no movement so far.

By Rev. Dr. McLeod:

5073a. Is the license law a success?—In what respect.

5074a. In any respect?—I think the license law is all right, if it was properly enforced.

5075a. Well, is it properly enforced?—In some respects it is.

5076a. And in what respects is it?—I think the licenses are granted according to the law.

5077a. In that respect it is properly enforced?—I think so.

5078a. Then in what respect is it not properly enforced?—I think that latterly it has been more rigidly enforced than before. I think the hotel men and the saloon men have not lived up to the law.

5079a. More rigidly enforced than before when?—I think since the last Inspector was appointed, it has been more rigidly enforced.

5080a. How long is that?—I think Mr. Pacaud has been Inspector something over a year.

5081a. You think under his Inspectorship, it has been more rigidly enforced than prior to that?—That is my opinion.

5082a. Do you think these licenses are all granted according to the intention of the law?—I have no reason to think otherwise.

5083a. That is to say, that the applicants for hotel licenses have the accommodation that the law requires, both in the house and the stabling?—I think so, on the whole. There may be cases in which it is not strictly carried out.

5084a. Has it occurred to you that possibly some of these men who have hotel licenses have simply equipment enough to qualify themselves to get a license, and are not devoting themselves particularly to hotel keeping, but rather to bar room keeping? I think there are some.

5085a. Would that be a faithful carrying out of the law? I do not mean to say the Inspector or Commissioners cannot get around that very well, but is that according to the intention of the law?—Probably not, in a strict construction of the Act.

5086a. Now, if it appears to the Commissioners, upon investigation, that these equipments were designed merely to evade the intention of the law, would it not be competent for the Commissioners to decline granting a license?—I think as the law stands they might either grant it or refuse it. It is in their discretion.

5087a. Is the license law a success in regulating the trade in Windsor?—How do you mean as to that?

5088a. Does it restrict it at all?—I do not think it restricts it.

OSCAR E. FLEMING

5089a. Then does it regulate, does it keep it within any limits?—I think it keeps it within limits in this way, that none but those who are agents of the Commissioners, sell it.

5090a. You think none but the licensees sell it?—I think not. There may be isolated cases, but if there are any, they are very soon brought up and fined.

5091a. Do you think the licensees observe the provisions of the law as to hours and Sundays?—I should say not as a rule, judging from the number of cases that come before the Police Magistrate.

5092a. Do you think it would be well to reduce the number of licenses?—I do.

5093a. What would be the advantage of that?—I think we would have a better class of men keeping the hotels and saloons.

5094a. Have you not got a good class of men keeping them now?—Well, I will not say we have not, but we would probably have a better, and better places.

5095a. You think it would be an advantage to have the trade in the hands of a better class of people?—I think so.

5096a. What would be the advantage?—Well, there would be the advantage that those who are in the habit of drinking to excess would not have the chance of getting so much liquor.

5097a. You think, then, that the present licensees are disposed to sell to those to whom they ought not to sell?—I do not think they would pay much attention to that.

5098a. It is a matter of business with them?—It looks so to me.

5099a. You think the amount of drinking would be decreased by a diminution in the number of licenses?—To a certain extent, I think it would.

5100a. And there are certain people who would not get as much drink as they do now?—I think so.

5101. Do you think that with a less number of licenses, there would be a better observance of the Sabbath day prohibition?—I think so.

5102a. Is that desirable?—I think so, by all means.

5103a. Your objection to prohibition is an objection based on principle, that you do not think the trade ought to be prohibited?—I think it should be restricted, not prohibited.

5104b. Have you observed that the license law does really restrict it? For instance, would there be a chance in Windsor for more than thirty people to sell liquor profitably to themselves?—I do not think many more could be added and carry on the business successfully.

5105a. Then would it appear that the license law in Windsor does not restrict the trade?—It does not restrict drinking, it only restricts the places where liquor can be got.

5106a. It restricts them in that if others went into the traffic, it would be so divided up that there would not be profit enough for them all?—Not and pay their license fee. There might be one or two more.

5107a. Have you observed, as a business man and a lawyer, whether the drink traffic affects other business interests of the community, either beneficially or injuriously?—Well, we are peculiarly situated here. The more licensed places we have here to dispense liquor, the more people we have from the other side coming over to get Canadian liquor.

5108a. Then one effect of the license system here is to induce your neighbours to come and trade with you?—We like as many American customers as possible.

By Mr. Clarke :

5109a. Do the Commissioners issue licenses for the purpose of bringing Americans over here?—I do not think that.

By Rev. Dr. McLeod :

5110a. Then if there were fewer or no licenses, you think they would not come?—We would have fewer of them over here.

5111a. What classes come over here principally to get drink?—Young men, principally.

5112a. Why don't they get drink in Detroit?—They seem to have a liking for Canadian whisky.

5113a. A fondness for the Walkerville product?—Yes.

5114a. You have not noticed then whether the liquor traffic has any effect upon other branches of business?—Would it affect an industrial establishment employing a lot of men?—We have not any establishments that amount to anything.

5115a. Do you think it affects railway employees?—I think the railway rules are such that the employees are prohibited from drinking.

5116a. Then you have a licensed business in the city which the railway managers prohibit their employees from patronizing?—That is what I understand.

5117a. Do you think that rule is in the interest of the morals of these men, or in the interest of the business of the concern?—In the interest of the business of the railway.

By Mr. Clarke:

5118a. Do railway companies prohibit their men from drinking?—I believe it is one of their rules that the men must not drink.

5119a. Must they be total abstainers?—I do not know that they go so far as that.

5120a. What do you mean by saying they must not drink?—I think if they are found under the influence of liquor, it is a cause for dismissal.

By Rev. Dr. McLeod:

5121a. Are they prohibited from frequenting bar rooms?—Yes.

By Mr. Clarke:

5122a. Could we get copies of those rules?—I understand they are in force on the Grand Trunk, on the Michigan Central and on the Canada Southern. I do not know that it is the same with the Canadian Pacific, but I believe it is.

5123a. Does that mean that if the men are seen drinking a glass of beer they are dismissed?—I won't say that.

5124a. But they must not drink so as to be incapacitated for duty?—That is what the rules mean.

5125a. Does the company care whether they drink or not so long as they go on and discharge their duties properly?—I am only saying what I have understood, that the companies are very strict in this respect, and if the men give them any cause in any shape by the use of drink, it is a sufficient ground for dismissal.

5126a. If they are incapacitated from attending to their business as conductors, firemen, brakemen or engineers, they are dismissed?—I think engineers particularly are prohibited. I am not sure as to that.

5127a. Prohibited from drinking?—I think so.

5128a. Are the saloons in this town anything else than drinking shops? Do they supply meals and furnish accommodation to travellers?—There are some that do nothing but the business of selling liquor, just a bar business.

5129a. Would you favour their abolition?—I think so.

5130a. And confine the trade to hotels, or shops where liquors are sold in quantities of three half pints or more?—I think so.

5131a. Do you think it is desirable to clothe this trade with as much respectability as possible by having respectable men in the business who would observe the law?—I think so. If the traffic is legalized, it ought to be made as respectable as possible.

5132a. It would not be well then to give licenses to disreputable characters?—I should say not.

By Rev. Dr. McLeod:

5133a. I understand there is a distillery in the vicinity that employs a lot of men?—Yes.

5134a. Has that company considerable property interests in the town and vicinity?—They have large property interests in the county.

5135a. Do you think the fact that they employ a lot of men and have large property interests, has any effect on public opinion about this trade?—There is no doubt that they are a great benefit to the county.

OSCAR E. FLEMING.

5136a. You think the business is a benefit to the county?—In the employment of men; and I may say that the men employed by them are a highly respectable class of men all through. Their money is not confined to the liquor business. The money that is made in that business is invested in numerous other enterprises which are a great benefit to the county.

5137a. You do not understand my question. Do you think the fact of these men having such large property interests and employing so large an amount of labour, has an effect on public opinion regarding the drink traffic in this community?—I do not know that, but I suppose to a certain extent it would.

By Mr. Clarke :

5138a. Are the employees of this firm a sober lot of men?—Yes.

5139a. Notwithstanding the fact that they are employed about a distillery?—Yes.

By Judge McDonald :

5140a. We are told by the Police Magistrate that a number of boys in the city engage in selling newspapers?—Yes.

5141a. He thinks that this business has a bad effect on them, that along with other temptations, it makes them truants from school and finally they help to increase the number of criminals in the community. Has your attention been called to that?—It has not. I have not heard that matter mentioned before. There are a number of boys who are engaged in selling newspapers, newspapers from Detroit principally and our own. Between three o'clock in the afternoon, and late in the evening, the streets are full of them. Whether that has an injurious effect on the boys, I would not like to say.

5142a. I think he said that was one of the things that had a tendency to lead boys into mischief, and that they appeared before his court?—I had not noticed that.

By Rev. Dr. McLeod :

5143a. You were speaking about railroad managers making certain rules for their employees. Do you know whether the proprietors of the distillery require their employees to be sober men?—I never heard that they had such a rule.

By Mr. Clarke :

5144a. Do you know any industrial concern that will employ men who come to work drunk, or under the influence of liquor?—I do not.

5145a. Is there any business carried on in such a way as to allow men who are incapacitated for work through the influence of liquor, to come morning after morning and go to work?—No.

5146a. All large employers demand that their men shall go to work in shape to do a day's work?—Some are more strict than others.

ELIAS WILLS, of Windsor, Chief of Police, on being duly sworn, deposed as follows:—

By Judge McDonald:

5147a. How long have you resided in Windsor?—Nearly ten years.

5148a. How long have you been Chief of Police?—One year and five months, but I have been acting as such for two or three years.

5149a. Were you police constable before that?—For about ten years.

5150a. So that for about ten years you have been engaged in police duty in Windsor?—Yes. Before that I was engaged in police duty in Ottawa, and in Ireland. I was on the Irish Mounted Constabulary.

5151a. How do you find the character of Windsor as to sobriety and good order?—Very reasonable.

5152a. Will it compare favourably with other places?—Yes.

5153a. Do you find much drunkenness in the community?—Well, there are other places that I have been in where I think there is more drunkenness.

5154a. Comparing it with other places, you can speak favourably of Windsor?—Yes.

5155a. What is the system prevailing here in reference to arrests for drunkenness. If a man is under the influence of liquor and going quietly home, do you interfere with him?—Never, unless he is incapable of taking care of himself.

5156a. Or is annoying other people?—Then we take care of him.

5157a. Do you find many such cases as that?—During the year we had about 130 arrests for drunkenness.

5158a. What can you say of other years?—The last four years do not differ materially. The average number of arrests for drunkenness was 127.

5159a. What is the total arrests each year for all causes?—The 127 are of drunks and disorderlies, that is, people who curse, swear and assault other people. The total number including drunks and disorderlies, average 183 for the year. But that does not include people who quarrel on the streets. There would be about 56 more for creating a disturbance on the streets in consequence of the use of liquor.

5160a. Disturbances caused by people who are under the influence of liquor?—Yes, otherwise they could not have arisen.

5161a. Could you give us the total number in the year, of all offences?—The average would be 538, including arrests for all offences. But some of these we do not arrest, but summons them. 538 includes summonses and arrests.

5162a. Does it include offences against the city by-laws, such as neglecting to clear the snow off the walks, or keeping unregistered dogs?—We do not include those offences. We do not have many for breaking the snow by-laws, perhaps one or two in a year.

By Mr. Clarke:

5163a. The cases of drunks and drunk and disorderlies are less than one-half the total number of cases, 239 to 538?—Considerably less.

By Judge McDonald:

5164a. Do you find there is much disorder in licensed houses?—There are not many houses in which any disorder is carried on, perhaps one or two.

5165a. Have you many places where liquor is sold illicitly in Windsor?—I think we have none. We had some, but we closed them up. They sold this native wine which was allowed to be consumed on the premises, and it was in that way they broke the law. In another case they sold beer. They used to buy a keg of beer and sell it to labourers.

5166a. Have you more licensed houses in the city than are required to meet all the requirements?—I think we have too many. We could dispense with five of them.

5167a. Supposing there was a choice to be made, are there any particular five that you could say had better be done away with?—Yes, that do not live up to the law, that do not have proper accommodation for the public.

ELIAS WILLS.

5167½a. We are told there are a certain number of these places in which accommodation is not required by law ; they are what are called taverns without equipment, generally known as saloons ?—We have three or four of those.

5168a. When you say there are four or five that might be closed up, is it because they have not got accommodation for travellers?—I am speaking of two that have not got proper accommodation.

5169a. Are they supposed to have it?—They are by law.

5170a. But they have not got it?—I think not.

5171a. Have you called the attention of the Inspector to that fact?—There was one that was granted a license, and we sent in a petition saying that it had not proper accommodation. In another place, about a year or two ago, they granted a license to a notorious thief.

5172a. A hotel license?—Yes, for the entertainment of travellers.

5173a. Did he get his license to keep this hotel?—It was a license that was transferred to him from another licensee. He kept it for over a year.

5174a. Is he still keeping?—No, he broke down and got out.

5175a. How did he come to break down?—Few went there.

5176a. Was he a man whose character was known in the community?—Well, I could not swear positively that he committed any crime, but we have heard he did, and he said himself that he did. I heard him say that he lived by crime previous to that.

5177a. I was going to say that if it was only reported to you, it would be hardly right for you to repeat it?—He was known to be a crook.

5178a. Did any travellers stop at that man's house?—None that I know of.

5179a. You think it was just a drink show while it lasted?—A few boarded there quite a while.

5180a. Did you keep an eye on him?—I think he did fairly well, but I do not think they should have granted him a license.

By Mr. Clarke :

5181a. Did you represent to the authorities what kind of a man he was?—Not to the Commissioners, but I did to the Magistrate.

5182a. The Commissioners were not aware of it?—I believe they were not aware of it. I did not speak to them myself.

By Judge McDonald :

5183a. How did you find the Sunday law and the Saturday night law observed?—Pretty reasonably. There may be some drinking.

5184a. How about the sale to minors and children?—I think there is none, because we have looked into that particularly ourselves. As there is an Inspector here we do not care much about interfering with his business, although by law it is part of our business as well. Still anytime he wants us to assist him, we are ready to assist him. But he is appointed by the Government for the purpose of looking after the licensed houses.

By Rev. Dr. McLeod :

5185a. Of the 538 total arrests, 239 are either common drunks, drunks and disorderlies, or disturbing the peace on account of drink. That leaves 299, and I suppose that includes indictable offences and all that sort of thing?—Yes.

5186a. Now, of these 299 offences, how many do you think would be more or less connected with drink, or traceable to the influence of drink?—There are 66 convicted upon indictable offences for the year 1892. That includes thefts, false pretenses and the like. There were 37 who pleaded that they had committed those crimes through liquor, out of the 66 who were convicted of indictable offences.

5187a. Had you reason to believe they were under the influence of liquor?—I know there was quite a number of them given to drink.

By Mr. Clarke :

5188a. Is it a usual thing?—It is a usual thing. I am of the opinion that if they did not drink, they would not be brought to such a state.

5189a. Out of the whole number of 538, how many do you think were before the court on account of drink?—Directly or indirectly, about 300 anyway.

By Rev. Dr. McLeod :

5190a. Do you have many total abstainers amongst the people who commit these offences?—I do not believe we have over 50 total abstainers in the whole city. I am not a total abstainer myself.

5191a. Do any of these 50 total abstainers ever come before the court?—I never knew them, for minor offences or otherwise.

By Mr. Clarke :

5192a. Taking the more serious crimes you have to deal with, burglary, forgery and arson?—We had a case of forgery here not long ago, the man committed forgery to the amount of nine dollars, and he said drink was the cause of it. Before he committed the crime he owned that he was drunk for five days. We had a crime of burglary here not long ago, committed by two men. One of them especially, I believe the one that planned the crime, was given to drink, and he was convicted about twenty times in London. The other was convicted five or six times in Chatham. I got their record. One was sent down twice for stealing in London. Then there was another that used to drink occasionally, but he never did anything except loaf around, smuggle Chinamen and all that.

By Rev. Dr. McLeod :

5193a. They smuggle even Chinamen, do they?—Yes.

By Mr. Clarke :

5194a. I think you spoke about places that were selling illegally?—There are one or two places, but we closed them up.

5195a. Have you thought of the question of giving licenses for the sale of light wine and beer in order to encourage the drinking of those lighter beverages?—Yes, I would rather encourage the drinking of those light wines than the stronger liquors.

5196a. Do you think it would be possible to have places of that kind conducted properly, that were given licenses to sell wine and beer?—Decidedly. If you have proper officers and give them a duty to do, they will perform it and see that these people sell nothing else, there is no doubt about it.

5197a. Do you think it would promote temperance if there were licenses for that purpose?—Decidedly. They get drunk quicker on whisky and beer.

5198a. Mr. Pacaud said he did not think it possible to conduct those places and prevent them from selling stronger liquor?—I am personally favourable to total prohibition, but I think I could suggest another way preferable to prohibition. If a man comes in to drink his beer, let him drink it by himself, not by treating in bars.

5199a. You think the treating system is a prolific cause of drinking and drunkenness?—I think it is a bad system. I think the plan I suggest would be a good plan, and it would be well worth while to give it a trial. Still, I favour prohibition, but I would like to see this other plan tried.

By Judge McDonald :

5200a. Are you yourself a total abstainer?—I am not, but I am in favour of temperance and of the total prohibition of the traffic.

By Mr. Clarke :

5201a. How do you think it could be enforced along the frontier?—It would shut down all the manufacturing at once.

5202a. I speak of importation by smuggling?—They could not sell it here.

By Rev. Dr. McLeod :

5203a. You think with proper officers you could enforce almost any law?—I have no doubt about it.

ELIAS WILLS.

By Judge McDonald :

5204a. We have heard there are a lot of farmers in this county who manufacture their own wine from their grapes. Would you favour a law to stop that?—If you had prohibition to stop the whole thing, no doubt it would injure business.

5205a. Supposing there was such a law passed, would you favour a provision preventing these farmers from manufacturing wine and cider in their own houses for their own use?—I never drink cider myself.

5206a. Still, in case a prohibitory law was passed, would you favour preventing these farmers from manufacturing home-made wine?—Yes, unless they manufactured it so as not to be intoxicating.

5207a. How would you enforce such a law?—By stopping the manufacture. Two or three men for the whole county would do it. Put the fine at not less than \$100, and they would not make it.

By Mr. Clarke :

5208a. Would you stop them from making cider, or would you compel them to drink it when it was soft and sweet and not allow it to remain until it became intoxicating?—That would be a hard matter. I think if they were permitted to make it for their own use, but forbidden to sell it or to barter it in trade, it would be all right.

By Judge McDonald :

5209a. It is stated that if a barrel of cider is exposed to the frost, the water part of it will freeze and the concentrated alcohol can then be drawn off and used as spirits. Do you know if such is the case?—I never heard of it before.

By Rev. Dr. McLeod :

5210a. You think a prohibitory law could be enforced, and you personally favour it?—I personally favour it.

5211a. And your experience as a peace officer leads you to believe that a large percentage of the cases that come before you result directly and indirectly from drink?—I think so. Furthermore, the poverty we have in town is mostly caused by drunkenness.

5212a. Do you have a good deal of poverty here?—There are a few cases, and it is directly caused by liquor. I have had a good many complaints from women about their husbands getting drunk.

By Mr. Clarke :

5213a. Do they get drunk when they are busily employed and have plenty of work?—When they get paid for it, they go to the saloon and get drunk, and spend their money and lose time.

5214a. Have you ever lived in any community where they had prohibition?—No.

5215a. Since you have been in Canada, have you had any experience of the operations of the Scott Act?—I never had, I do not know anything at all about it except what I have heard.

5216a. What have you heard?—That it was not enforced.

5217a. Why not?—I do not see why they cannot enforce it? The only thing is to have proper officers. Without proper officers the law cannot be enforced.

5218a. One of the chief difficulties, we have been told, is owing to the fact that a county where the Scott Act is in force, may be surrounded by districts where it is not in force, and consequently people could go outside of the Scott Act county and get liquor?—Well, that might hurt it—I do not see why it should hurt it either.

5219a. If that argument holds good, would it not hold good on a larger scale if we had general prohibition, inasmuch as Canada lies alongside of the United States for several thousand miles?—I do not see why that should be a difficulty, except that some few go over there and get drink.

5220a. You do not know any reason why prohibition in a small area, in a county, in a city, or in the Province, should not be enforced?—Certainly, I do not. It could be enforced.

5221a. The sale in saloons, hotels and places of that kind?—Yes.

5222a. Is drunkenness increasing or decreasing in Windsor?—I think it is on the decrease.

5223a. To what do you attribute that?—I think we look after it better than it used to be looked after some years ago.

5224a. You exercise stricter vigilance and supervision?—Yes. Still I think that indictable offences are increasing, I mean those that are committed through the influence of liquor.

5225a. Did you ever know any large percentage of prisoners admit that they committed the crime voluntarily in their sober senses?—Yes. But as to the most of these criminals, we know them previous to their committing the crime, we know their habits. They are drinkers and loafers.

EUDO SAUNDERS, of Windsor, barrister-at-law, on being duly sworn, deposed as follows:—

By Judge McDonald:

5226a. Where do you reside?—I am residing here now. It so happened that I was Crown Prosecutor at the late Sandwich assizes, and I convicted all the prisoners of whom the Chief of Police has just spoken, and they have extraordinary records.

5227a. Can you say anything as to what their characters had been for temperance?—The record was put into my hands with regard to one of them, and I saw there had been 18 convictions against him, mostly for drunkenness. He was a man called Woodward, and was convicted of forgery. I discovered under cross-examination that his real name was Edwards. He came from a respectable family. He gave evidence on behalf of himself under the new law, and convicted himself. I went into the whole question. He admitted to me that his name was neither Woodward nor Woodworth, but his real name was Edwards. He came from a place in Kansas where he had a wife and three children and was living with a woman of easy virtue. He pleaded as a reason for leniency that he had been drawn away by drink almost entirely. There was another man named McDonald, I think a very respectable young man formerly, who got into a rig and drove off with it. He said to the court who convicted him that he was entirely drunk. He was of great respectability, and the Judge let him off on suspended sentence. He drove the horse all night long while he was under the influence of drink. I may also mention that I was Police Magistrate at Kemptville, in the county of Grenville, during the time of the Scott Act.

5228a. Will you tell us your experience of the working of the Scott Act?—My experience, and the opinion I formed was, that the public drinking of intoxicants was reduced, but as to whether it was absolutely reduced, was a grave question in my mind. There is no doubt that public drinking was considerably reduced.

5229a. Were there fewer places in which it was sold?—Yes, where it was sold illicitly.

5230a. Was it sold in those places that had previously sold under a license?—Yes.

5231a. Did you live in Kemptville for some time?—Yes, I knew the place and the people.

5232a. Knowing them, did you find that the same people who had formerly been licensed, continued under the Scott Act to sell illicitly?—Certainly, all of them without exception. I fined every one of them.

5233a. Did you find any shebeens springing up, new places?—Yes, numbers of them and every kind of device was resorted to for the purpose of defeating the Act.

ELIAS WILLS.

5234a. Do you know whether the liquors that were sold were of a pure or an inferior character?—I could hardly form an opinion on that question. I had no data.

5235a. Was there anything that would show you whether spirituous liquors were used more than malt liquors?—I think they were, for this reason, they would go into smaller compass. A man could put a bottle of whisky into his pocket, whereas he could not put a keg of beer. It encouraged that kind of drinking.

5236a. Were you troubled at all in Kemptville with what are sometimes called "walking saloons," men carrying liquor about their persons and selling it?—To some extent, I do not know how far.

5237a. Is not Kemptville the centre of a fine section of country?—Undoubtedly.

5238a. During your residence there did you find that the temperance sentiment was growing?—Undoubtedly the temperance sentiment was growing fast. In fact all means were taken to educate the people, and the evils of drinking were prominently brought before the people. I believe that the temperance sentiment is growing rapidly.

5239a. You find that the influence of churches and temperance societies is helping it on?—All moral influences of that and similar character are tending in that direction.

5240a. Were any of your judgments appealed against?—None of them, and I collected every fine I imposed. In fact the temperance and moral people were very much opposed to my resigning when I did. The fact of the matter is I was so satisfied that the Scott Act could not be enforced that I said to the Government: "I wish you would relieve me of this." I was appointed Police Magistrate at the request of some of the best people, but when I saw the Act could not be enforced, I wished to be relieved.

By Mr. Clarke :

5241a. To what do you attribute the impossibility of enforcement?—To the determination of the people to drink. You could not get rid of it. A man said to me: I am bound to drink whether you fine me or not.

By Judge McDonald :

5242a. You have lived, I believe, in the North-west Territories?—I have lived there for three years. I am an advocate, of the North-west Territories.

5243a. How did you find the prohibitory law carried out there?—It was not carried out at all. We could always get permits when we wanted them. It was difficult for the authorities to resist. All sorts of representations were made to them to get it.

5244a. The permits themselves were issued at Regina?—By the Lieutenant-Governor, who lived there.

5245a. Did any illicit sale go on?—Yes, and a lot of heavy fines were imposed by Commissioner Herchmer. One of the first cases I had was a man charged with the illicit sale of liquor.

5246a. How would the liquor get in?—They used to bring it up in all sorts of ways. They would put a small barrel in a flour barrel which was larger, and fill the small barrel with liquor and the large barrel with flour, or with oatmeal or pease. They could get all they wanted.

By Mr. Clarke :

5247a. Notwithstanding the one thousand Mounted Police that are up there?—It did not make any difference, although they were swarming on the trains where the liquor was carried.

5248a. Could it be possible to get more favourable conditions to enforce a prohibitory law than existed in the North-west Territories?—I do not see how you could. My experience was that the law was a dead letter.

By Judge McDonald :

5249a. Did you understand that the permit system worked with too much elasticity, or do you mean to say that they brought liquor in illicitly in the quantity you speak of?—Yes, because the people who brought it in were men who could not have got permits from the Lieutenant-Governor. He would only grant permits to persons of respectability.

5250a. Do you know whether there was much malt liquor brought in under those circumstances, or was it spirituous liquor?—Both.

5251a. The same difficulty existed there with regard to heavy liquors as at Kemptville?—They did not bring in much ale or beer except by permit.

5252a. What kind of drink was brought in illicitly?—Some beer was brought in illicitly, but it was difficult in consequence of its bulk. The greater quantity was the harder liquor which could be brought in in smaller compass. I could get it anywhere in fact, although I was not in the habit of taking it. People had a good deal of confidence in me, and I used to go continually where it was; it was under my eye. When I was Police Magistrate I used to see it constantly. These men were brought before me and I fined them.

By Rev. Dr. McLeod:

5253a. Do you know whether permits were issued quite indiscriminately in the North-west?—I would not say that. I assume that they took reasonable precaution.

5254a. You do not know it, you assume it?—When I asked for it, they inquired why I wanted it.

5255a. You wanted it for medicinal purposes?—Yes, I stated so. They inquired particularly. I had to fill up a form, and I assumed that was the regular practice. No doubt these forms were filled up in many cases, without much regard for the truth. But that was the basis of the permit.

5256a. I may say to you that when we were in the North-west last fall, we had statements made that would seem to warrant the belief that permits were granted for bringing in such large quantities, and so frequently, that the authority granting the permit must have been exceedingly dull or he would have known that the liquor was to be brought in for sale?—Of course, I have no knowledge of that.

JUDGE McDONALD.—That is subject to the qualification, that if he had doubt about a man's antecedents, he took information from members of the Legislature as to whether the applicant was respectable.

REV. DR. McLEOD.—It may be open to that qualification in some instances, but I remember looking over the record in Regina, and I saw that a hotel-keeper had brought it in in such large quantities by permit of the Governor, that the Governor must have known that no family could consume that amount, either as a medicine or for family purposes on the table. He must have known also that the person getting the permit was in the hotel business, and likely to sell the liquor.

By Mr. Clarke:

5257a. Your observation was that the prohibitory law in the North-west was a failure?—Yes.

By Rev. Dr. McLeod:

5258a. Did not the permit system open the way for abuse, and bring the law into disrepute such as it would not have fallen into otherwise?—I suppose every system is liable to abuse, and I suppose that system to some extent was abused.

5259a. Speaking of the thousand Mounted Police there, did it ever come to your notice that the police were susceptible to quieting influence?—Well, I have no personal knowledge of that. I can quite understand it as human nature.

By Mr. Clarke:

5260a. The officers under any law are likely to be susceptible to those influences?—I am inclined to think so, unless you can reorganize human nature.

REV. DR. McLEOD.—The statement was made that in some cases the policemen were in collusion with the smugglers.

JUDGE McDONALD.—I think the statement was made also, that though exposed to an immense amount of temptation, the police did their duty most effectively.

MR. SAUNDERS.—I have no personal knowledge of a single case of collusion.

EUDO SAUNDERS.

By Judge McDonald :

5261a. The fact was that although not receiving much pay, and considering the amount of temptation put in their way, it was wonderful how well they did their duty?—They are a very respectable body of men. I was constantly brought into immediate contact with them, and I was concerned with a great many cases, and I never had a case of that kind before me. They were a well conducted body of men so far as my knowledge extended. They did their work well under difficult circumstances. They arrested a man for stealing a horse, and he was sent to the penitentiary for seven years, a man who had killed eight or nine men, who would shoot a man on sight. They had a good deal of difficult work in arresting him, and unless they had been sober and alert, they could not have done it successfully. They were brave and respectable men.

By Mr. Clarke :

5262a. What was the object of that permit system?—People are bound to have whisky, apparently. The country was not under a license system and therefore they had either to leave it open and make it free to anybody, or impose some sort of regulation, and this device was hit upon.

5263a. Permits were given for liquor for medicinal purposes, or for beverage purposes, or for both?—For both.

5264a. Was there any Scott Act territory under the permit system?—No.

5265a. What was the weakness there?—Human nature was at the bottom of it.

5266a. Can you point to any place where prohibition has been in force with reasonable success?—I do not know any such place.

5267a. The permit system is at fault in one place and the Scott Act has some defect in some other place?—Yes.

5268a. Your experience of the North-west prohibitory law and of the Scott Act in Ontario, lead you to what conclusion with regard to both of them?—That no device so far has been hit upon which will cure the evil that is aimed at.

5269a. What would you suggest to this Commission as a remedy to reduce the evils which flow from this traffic?—I fancy that you must rely to a still greater extent upon moral suasion and the education of the people. I do not believe public opinion is ripe for prohibition. On the border of the United States it would be utterly impossible to enforce it. There cannot be two opinions as to that.

5270a. As to the possibility of enforcing prohibition along the border?—It would not be possible—I mean unless there was prohibition in the United States at the same time. If you had the sale of liquor on the other side, it would be utterly impossible. No man will contend that we could enforce it here. They would go over and bring it in by the gallon.

5271a. But they say there is no smuggling along the river in other articles?—They can tell that to the marines, they need not tell it to me.

By Rev. Dr. McLeod :

5272a. Does the license system meet the case?—I do not know what better system you can find. If that will not meet the case, nothing else will.

5273a. I am asking you whether the license system meets the case?—Things being as they are, I do not know that you could improve it. You might alter it, you might strike off the saloon licenses, but the men who want to drink will get it, whether at saloons or at hotels.

5274a. Do you know a license system anywhere that restricts the traffic?—It regulates it. For instance, with regard to hours, the revenue that they pay in licenses, with regard to the accommodation that they afford to travellers—all these things are regulative to a certain degree.

5275a. But are those provisions of the law observed?—Only to a certain extent, and perhaps to a limited extent.

5276a. The Scott Act was observed to a limited extent, was it not?—Yes, to a limited extent, but very limited.

5277a. You have not been in Windsor long enough to form an opinion as to what extent the law is observed here?—No, I have not. The people appear to be very sober.

5278a. One would judge from the evidence already given that the provisions of the law are not particularly well observed?—You really know about as much as I do as to that. But I was interested in the cases mentioned by the Chief of Police, because I was Crown Prosecutor and I convicted them. We got seven convictions in six trials, which is a very unusual thing.

By Mr. Clarke :

5279a. Do you remember by what vote the Act was carried in Leeds and Grenville?—I think by a considerable vote.

5280a. Why was it repealed?—Gradually the people came to believe that it could not be enforced, that it would not work, otherwise they would not have repealed it.

5281a. Would it be fair to conclude that the people, after having had an experience of three years of the Scott Act, determined that license was the better plan?—I do not think they would go back to the Scott Act.

5282a. There does not seem to be any general desire to test the feeling again on the Scott Act in any constituency in Ontario?—The opinion appears to be that unless it is universal, unless it is continental, partial prohibition is a failure. It must include the whole continent.

5283a. What about the sea board?—The people who are inland would not be corrupted by that.

By Rev. Dr. McLeod :

5284a. Do you believe in the principle of prohibition as applied to the drink traffic? I believe in moral influence of every sort.

By Judge McDonald :

5285a. Would you favour the passage of a prohibitory law for the Dominion, under the circumstances?—No.

5286a. In case of the enactment of such a law, would you deem it right that remuneration should be made to brewers and distillers for the loss of their plant and machinery rendered useless?—Unless you gave them a long time to withdraw from it.

5287a. In your experience with Scott Act trials and with trials in the North-west arising out of violations of the prohibitory law, did you notice that there existed any degree of perjury on the part of the witnesses?—My impression is that there was a great amount of it—more, relatively, than in other cases.

5288a. Did you find that witnesses who would be reliable proof in other cases, were unreliable in Scott Act cases?—I was always satisfied that was the case.

5289a. Do you attribute that now to people having a different moral sentiment in regard to cases of that kind, from their sentiment with regard to other cases?—They seemed not to be impressed with the idea that they were under the same sort of obligation to tell the truth; in other words, they think prohibition an interference with their liberty, and they take greater latitude. They say we are prying into what they eat and drink, and that it should not be done, and in that way they excuse their conscience. They say: You are going too far, and I am not under obligation to obey you. At all events, I have known men whom I would believe thoroughly under ordinary circumstances, but when they got into the witness box to swear, I did not believe them. I thought they were lying.

By Rev. Dr. McLeod :

5290a. Do you think it was because they themselves were involved in violations of the law?—Possibly, to some extent. At all events, it seemed to have a different effect upon them. I have heard them dispute it.

By Mr. Clarke :

5291a. They do not have the same respect for the sanctity of an oath as they do in other cases?—It strikes me so. I administered the law pretty severely, so much so that

EUDO SAUNDERS.

the ministers and others were opposed to my resignation, and prevented it for a considerable time. But I resigned the position because I made up my mind that I could not enforce the Act.

5292a. Were you aided by the officers?—Yes, to some extent—not perhaps to the fullest possible extent.

5293a. Probably you could give us some light on this point. A community will vote for the Scott Act by a large majority, and if we take that as an indication, and it is reasonable we should, that public sentiment in that county is in favour of the prohibition of the liquor traffic, how can you account for the apathy on the part of the people in not seeing that the law is enforced, and not holding up your hands and aiding the Inspectors and officials generally to enforce it?—It is because it brings them into disrepute. Scores of the people summoned as witnesses had come to me and asked to be let off, saying: I have been subpoenaed in this case, and if I give evidence I will get into trouble with my neighbours. That is natural, the whole thing is plain to me, and you can understand how it is. A man does not want to give evidence against his neighbour. In fact the lives of a good many Police Magistrates and of the officers who enforce it, were not safe.

5294a. How can you account for the people in such large numbers voting for the Act, and then doing nothing to carry it out? Can you give us any good reason why that conduct should prevail?—They were anxious no doubt that the law should be in force; on the other hand, they did not like to get into trouble or difficulty with their neighbours.

By Judge McDonald:

5295a. You say the life of the Magistrates and officials were sometimes endangered. In what way do you mean?—I mean to say that they used violence in more than one case. They never did it to me, I never had the slightest fear.

5296a. Do you know any cases, yourself, in which the officials were threatened?—I do not, so far as I am concerned, because when they came and paid for the fine, they said: Well, you did your duty fairly. But I was not a detective, I did not overstep the line of my duty. I would not listen to anything beforehand or privately. When I got on to the Bench I would hear the circumstances for the first time. I may say that I have often practised before you, Judge McDonald, and tried to follow your example in that respect, and I believe it was the proper one. I would never listen to any report until I came to deal with the case officially, either from the officers or anybody else, so that nobody could afterwards make any complaint against me. I enforced the law rigidly, I collected every fine and nobody ever threatened me. But I ultimately gave it up because I thought the law could not be enforced.

By Rev. Dr. McLeod:

5297a. I understood you to say that the drink traffic is an evil?—I think so.

5298a. Do you know any other thing which you regard as an evil, that it is better to license than to prohibit?—No. I suppose the social evil would be a great evil, but we do not license it.

5299a. Why not?—Because it would not be best to do it, although there might be certain advantages. I am speaking of our own country.

5300a. In some places it is licensed?—There might be some reason for it. I would not like to go so far.

5301a. Which has the better effect upon the moral sense of the community, to license the social evil or prohibit it?—It would never do in the world to license it, or recognize it, or for the Government to draw a revenue from a horrible thing of that kind.

By Judge McDonald:

5302a. Do you put that and the drinking of ale, or wine or strong drink, upon the same footing?—Not at all.

By Rev. Dr. McLeod:

5303a. Take the drink habit as it stands, with all its effects?—Well, even then, I think that the one is surely allowable from any point of view, looking at it as the Church

looks at it, looking at the discussion as to whether sacramental wine should be fermented or unfermented. It is contended that fermented wine was used in times past by the churches, and we have the highest authority to use it to-day, and surely an article of that kind cannot be put on a par with something that is admitted to be an evil from the very commencement.

5304a. Do you know any other evil, supposing it is a less evil than the drink traffic that had better be licensed than prohibited by statute?—As a principle, I would hesitate to license anything that was an admitted evil, if it could be avoided. This thing has grown up with our civilization.

By Mr. Clarke :

5305a. Take the tobacco habit?—Yes, there is an evil, but a less evil. It is licensed.

5306a. Take the drinking of coffee, which injures certain constitutions. Would you prohibit the use of coffee?—Not by any means.

By Rev. Dr. McLeod :

5307a. Do you think the use of coffee is as injurious as the use of liquor?—I do not think so at all.

By Mr. Clarke :

5308a. Does tobacco do as much harm as the use of intoxicating liquors?—Not by any means.

5309a. But is it not injurious to the human system?—I should fancy it must be, to a nervous organization, and to some people who use it to excess. There is no doubt the drink habit is an evil.

5310a. The smoking habit too?—All these things are evil, but I can suggest no means of curing them.

5311a. Would you favour the prohibition of the use of tobacco, cigars and snuff?—I think we have some law on the statute-book with regard to the use of tobacco, restraining persons of a certain age. I do not believe it has produced any very good effect.

JAMES C. GILLET, of Windsor, City Treasurer, on being duly sworn, deposed as follows:—

By Judge McDonald :

5312a. You appear here as representing the City Clerk?—Yes.

5313a. How long have you resided in Windsor?—All my life, between here and Sandwich.

5314a. How long have you been City Treasurer?—Since last February.

5315a. Can you produce a statement in reference to the license fees?—Mr. Lusted, the City Clerk, requested me to go back a few years and get the figures for the license fees and the cost of the administration of justice. I went back as far as 1888. And I produce a statement showing the amount of license fees paid into the treasury, and the cost of the administration of justice, since that time:

Year.	License Fees.	Cost of Administration of Justice.
1888.....	\$2,962.84.....	\$4,528.08.
1889.....	3,081.57.....	5,831.74.
1890.....	3,125.36.....	7,081.63.
1891.....	3,859.89.....	6,857.80.
1892.....	3,859.89.....	6,966.41.

5316a. Does the last column include the salary of the Police Magistrate, and the police force?—Yes.

EUDO SAUNDERS.

5317a. Windsor is separated from the county for municipal and judicial purposes, we understand?—It is.

5318a. Does it include what was paid by the city to the county as its share of the expense of the administration of justice?—Yes.

5319a. The maintenance of the jail and court-house?—I do not know about that. There was a certain amount paid as county rates, but I do not think that was charged to the administration of justice, the Crown witnesses, fees, and all that.

5320a. Speaking as a citizen, do you find this to be an orderly community?—Yes, fairly so.

5321a. Do you witness much drunkenness on the street?—Not a great deal.

5322a. Have you had experience of the working of a prohibitory law?—None at all.

5323a. Would you favour the enactment of such a law for the Dominion, in the interest of temperance?—Yes.

5324a. In case of the enactment of such a law, would you except the use of liquors for medicinal, mechanical and sacramental purposes?—I would.

5325a. Have you considered how the revenue that would be lost would be made up?—I have not.

5326a. It is said there are some six or seven million dollars received by the Dominion from excise, and the Provinces and municipalities also derive a revenue from licenses?—I have only thought of it from this point of view, that a prohibitory law would reduce the cost of the administration of justice.

5327a. The Province would be benefited to that extent?—Yes.

5328a. Then supposing it were necessary to raise a revenue to replace the revenue that would be lost by prohibition if it were effectively enforced, would you be willing to have direct taxation rather than be without prohibition?—I would.

5329a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—I would not.

FRANKLIN H. WALKER, of Walkerville, distiller, on being duly sworn, deposed as follows:—

By Judge McDonald:

5330a. Your residence is Walkerville?—My residence proper is in Detroit, but my business is in Walkerville.

5331a. Is this an incorporated town?—It is, we have a Mayor.

5332a. What is the population?—From 1,200 to 1,500.

5333a. You carry on the business of distilling and rectifying?—Yes.

5334a. Are there any other industries, the outcome of or connected with this business, carried on in the place?—In connection with it there is a bottling business and the feeding of cattle.

5335a. How many men are employed in the distillery proper?—From 150 to 200.

5336a. To how many people, in round figures, will the business give employment, altogether?—I should think 250 people.

5337a. You have your own cooperage works?—Yes.

5338a. Do you use Canadian wood for that purpose?—Where we can get it, but it is very difficult to get it.

5339a. What kind do you use?—Principally oak, coming from the States of Missouri and Nebraska.

5340a. The cooperage stands upon the premises?—Upon our own premises.

5341a. I suppose you have to buy a certain amount of grain in the States too?—A certain amount. It depends altogether on the crop here. This year, in this county, I think they will grow all the grain we want, after the crop is harvested. We use entirely Canadian rye and Canadian barley and oats.

5342a. I suppose you will be able to give us figures as to the quantities of grain used?—Yes, we can give you those figures. I will have to hand them in later on.

5343a. This county has never been under the Scott Act, or any prohibitory act?—No.

5344a. Can you tell us whether, when the Scott Act was in force in so many counties of Ontario, your business was affected by it in any way?—It is very difficult for us to say positively. We can tell the total amount of sale, of course, during any period, but there are so many other things that would affect the sale that it is difficult to say whether it was the Scott Act or something else.

5345a. At Brockville this last week, Mr. Wisser told us that during the Scott Act period, he found there was a change in this way, that more small packages went out?—I was going to say that in some place, I think Woodstock, where the Scott Act was in force, we had a great quantity of orders for kegs, but that is about the only effect we could see. That is merely showing an increase in our sales. We might show that they decreased, and it might possibly be caused by something else.

5346a. Was there any change in the mode of selling?—There was that change in the size of the packages.

5347a. In connection with that question, did you ever send liquor to the North West Territories?—Yes.

5348a. They formerly had a prohibitory law in force there?—Yes.

5349a. At that time were packages shipped by you to the North-west Territories?—Yes, under permits.

5350a. Did you ship them to the final destination, or simply to a central depot?—I think both ways.

5351a. Can you tell us what kind of packages were sent there?—They were small packages, five or ten gallon packages.

5352a. Does business of that kind, sending in small packages, continue in the North-west Territories now?—Not to the same extent at all.

5353a. I suppose you have a large amount of capital invested in your works here?—Yes.

5354a. You have told us what kind of grains you use; you might give us a comparative statement of the quantity from the time of the Scott Act up to the present?—I will get up some figures as to our sales for the last ten years.

5355a. We might as well get from you, if you can give it to us, the duties which you pay to the Government. We could get this from the blue books, but it would be better to have them all in one table?—You do not mean the duties we pay directly to the Government? You mean the duty that would accrue on what we manufacture, don't you.

5356a. Yes?—Of course we send a great many shipments in bond.

5357a. And wherever it is taken out of bond the duty is paid there to the inland revenue officers?—Yes.

5358a. Would the enactment of a prohibitory law, preventing the manufacture of liquor in Canada, cause a diminution in the value of your property here?—Decidedly.

5359a. Have you property that would be rendered useless in case of prohibition?—Yes, the distillery property. Probably all the property that the company owns as a distilling company, would be useless.

5360a. That is an incorporated company?—It has been incorporated about three years.

By Rev. Dr. McLeod:

5361a. There are other branches of employment here in Walkerville besides the distillery?—Yes, we have got a number of industries here. There is the Malleable Iron Works, quite a large concern; an Engine company, which has a foundry and machine shops; the Walkerville Brewing Co., an extensive brewery; the Globe Furniture Co.; the Woven Wire Fence Co., and a Basket company. Then our railways centre here.

5362a. These are all under the control of one company, are they?—No, these companies are all incorporated under separate charters.

FRANKLIN H. WALKER.

5363a. But still are they, after all, the property of the members of this company?—No; but some of us hold stock in all the companies, and we have some outside capital interested in these companies.

5364a. But you have a controlling interest?—Yes, we manage to control most of them.

5365a. These have grown up about the distillery business?—They have grown up around this distillery business. When this business was started in 1857, there was absolutely nothing here in the way of settlement. There were only two houses.

5366a. The distilling business was the first, the others have come since?—My father came here in 1857 and started a flouring mill; and within a year, I think, he went into the distilling business. All you see here to-day is practically the result of the distilling business.

5367a. You have a Mayor, a Town Council and a police force?—Yes, and a fire department.

5368a. All the things that belong to a corporation?—Yes. Our water works system, however, belongs to the Distilling Co. The Distilling Co. put in the water works system before the town was incorporated, and it is a matter of so much importance to us in the way of fire protection that we have held on to it. The town will eventually, probably, pay us something for the fire protection afforded by this water works system.

5369a. You say there are from 200 to 250 persons employed in the distillery, the cooperage and all the belongings?—Yes.

5370a. Does the number ever fall below 200 or go above 250?—They might, provided some days we closed down. But the people are all resident here, though they are sometimes laid off a few days. I think 200 to 250 would be as close as I could give it to you.

5371a. Do the people own their own homes, or are these houses built by these companies for renting?—Most of these houses belong to two concerns, the Distilling Co., and the Land and Building Co. Our partnership, Walker, Sons & Co., do not own any houses, but some of our employees own their own houses. It is optional with them. We offer them houses, for sale for their own use, if they want them.

5372a. The land still belongs to this Land Co. ?—Yes, principally.

5373a. The land upon which Walkerville is situated?—Except the distillery premises proper, that belongs to the Distilling Co. The Distilling Co. is entirely independent of everything else.

5374a. I suppose you have here—as the question is generally asked—what you regard as an orderly town?—Yes.

5375a. We have never been in a town yet in which the people were not prepared to say that it compared very favourably with any other town they knew?—I would not make that statement, I would say this is the most orderly town.

5376a. We have never been in a town where they were ready to admit that they were below any other?—I have been looking into that matter and making some inquiries about it this morning, and I find that the one record this town has got of any disorder is the arrest of a man here a few months ago for being drunk, and he came from Windsor drunk. But it is a very remarkable thing; it must seem remarkable to people generally who do not know the effects of a business of this sort on a community such as we have, that we have absolutely no drunkenness in this town.

5377a. Perhaps you can explain to us how it comes that here where whisky is manufactured, it does not have the effect of producing drunkenness on the people; whereas a great many believe that the whisky when it gets further away, to Windsor for instance, begins to produce drunkenness?—I think the people of Walkerville are all temperance people in the strict sense of the word. We try to educate our people up to that; Now, we have been handling whisky all the time. For instance, there is a man who is bottling whisky. I do not say to that man: if I catch you drinking a glass of whisky I will discharge you, because I expect he will drink whisky if he wants it. But I say to him if you get into a condition where you cannot do your work properly you will lose your place. The result is that if that man feels that he wants a glass of whisky he will take it. I have no doubt he does. But just from the very fact that they can get it, and know the results of the abuse, they will take it in a temperate way, and they are

always doing their work well. We do not see any bad results. They do not go off at night and get drunk, they do not drink too much during the day. Most of our men working in the distillery save money.

5378a. You insist on their sobriety?—Yes, decidedly.

5379a. You insist on their sobriety in the interest of your business, do you not?—In the interest of the business and in the interest of the men themselves.

5380a. But it would not be profitable for you to have men who are other than sober?—Oh, no.

By Mr. Clarke:

5381a. Would it be profitable to any other industry to have men that were not sober?—Certainly not to any business. As an indication of the class of men we have got, we have in our office a deposit ledger account that we started 12 or 15 years ago, we started it to encourage the saving of money. They are paid each week or month, and they make a deposit, whatever they please, and we hold that to their credit, and pay them the bank rate of interest, that is the rate that we pay on money that we borrow from the bank in our business, which is just now 6 per cent, we find that amounts now to about \$30,000.

5382a. You are the bankers of your employes to that amount?—Yes. The present rate is 6 per cent, and we pay them just what it costs us to get money from the bank.

By Judge McDonald:

5383a. So they become your bankers, as it were, for the amount they deposit?—Yes. Of course they make more out of it than they could get from a savings bank.

By Rev. Dr. McLeod:

5384a. Did you ever discharge men for excessive drinking?—No.

5385a. You have had to do so sometimes, I suppose?—Well, I would not say never, but I cannot recollect any cases of that sort.

5386a. Do you employ boys as well as men?—In our bottling room.

5387a. Do you make any rule as to their drinking?—That is a matter for the foreman to handle. They are not supposed to drink in there, I do not think he allows them to drink at all. I have never heard of a boy drinking whisky, It would be against my rule if he did.

5388a. Your foreman has the responsibility of looking after that?—Yes.

5389a. Would there not be something in this, that the men being in very close contact with the whole process of manufacture, come to have an aversion to the consumption of the liquor?—Well, I do not know, it has not had that effect on me.

5390a. How much police force have you in town?—I think we have two; it may be three, I am not quite sure.

By Mr. Clarke:

5391a. What is the rule as to drinking in the other factories and institutions, and on the railway here? Do they enjoin total abstinence on the men?—No, not at all.

5392a. I notice there is a railway here, the Windsor and Lake Erie, who is the manager of that road?—The Superintendent is Mr. Woolett. I am the President of the road.

5393a. You have stringent rules, I suppose?—He may have some rules in the actual management of the road which I do not know of.

5394a. It is evidently essential that engineers and conductors, and men having charge of trains, should be sober men?—Certainly.

5395a. So far as you know, do the companies make a rule that engine drivers, conductors and firemen and so on, must be total abstainers?—I do not think so, I never heard of it.

5396a. You say that a man shall come to work fit to work?—That the men shall keep sober.

5397a. That during hours they shall not render themselves incapable of work by drinking to excess?—Certainly, or by any other excess, no matter what it is.

FRANKLIN H. WALKER.

5398a. What is the rate of taxation here?—I think it is $4\frac{1}{2}$ mills for general purposes, or $5\frac{1}{2}$, including school rates.

5399a. Are there any special privileges the residents of this place have which enable them to reduce the taxation down to that remarkably low rate?—None whatever.

5400a. The residents here pay taxes on everything just as they do in every other town?—Certainly.

5401a. Now, is there any person from whom we could obtain the number of arrests and convictions for drunkenness, and all that kind of thing?—The Town Clerk could give you the information.

5402a. Have you a resident Magistrate here?—Nothing beyond the Mayor, he fills that position.

5403a. We understood from Mr. Bartlett that he had jurisdiction over the county?—I think so.

5404a. Did you have a prohibitory law in Michigan at any time since you resided in Detroit?—I think there was such a law some thirty years ago but I do not remember much about it. There has not been any for 20 years since I have been in business.

5405a. What is the system over there as to giving licenses?—I do not know that they have any regulation as to the issuing of licenses.

5406a. Do you know what is the license fee?—I think the license fee in Detroit is something like \$250 or \$300.

5407a. Do you know how many licenses are issued there?—I do not know, there are a great many. There are too many for the city.

5408a. Does a larger number of licenses mean that there will be a greater quantity of liquor sold and consumed?—Well, it means to my mind, from what I have seen, a lot of poor places, a lot of groggeries, if the license is low. If anybody can get a license, the result is that you get a lot of low groggeries, and low class people go in there and get to drinking bad stuff, and get drunk, get wild, and you don't know what they will do. With a high license you can get a higher class of places where the business is better looked after, and you do not see any of those bad results from it.

By Rev. Dr. McLeod:

5409a. Those people who want to go to cheaper places, where they can get their drinks?—They can get drink in these other places.

5410a. But they are not able to pay the high prices?—Then they can get cheap drink, but they won't be allowed to go into those places and loaf there, spend their night there, as they do in these low groggeries.

5411a. Does $5\frac{1}{2}$ mills taxation include fire protection?—It includes the police. We maintain the fire department.

By Mr. Clarke:

5412a. Do you know anything about this grape industry and the hop industry in this county?—I know about the hop industry. We grow about all the hops grown in this county.

5413a. You do not know anything about the grape industry?—Except in a general way. I know they are growing a great quantity of grapes here.

5414a. And manufacturing wine here?—To a certain extent, but I think that is growing.

5415a. Did you ever reside for any length of time, or have you visited any State or territory, where a prohibitory law was in force?—Yes, I have been in Portland, Maine.

5416a. Did you spend any time in Portland?—I spent a summer once there, when I was just out of college about twenty years ago, at an island called Cushing's Island. I saw something of it then.

5417a. What did you see?—I should say I saw something of the non-working of prohibition. I could get drink easily enough.

5418a. Was there a certain amount of stealth to be used?—Not at all at that time.

5419a. Cushing's Island is part of the city of Portland?—I do not remember whether it is or not, it belongs to the State, I think. The experience I had in Portland

was not favourable to the prohibitory system. I went into town one morning, and asked the first man I met where I could get a drink? He said: You can get one right across the street—and he pointed to a store, looking like an ordinary store. I went through a side door into a back room and got what I wanted. There was a bar there and lots of customers.

5420a. Do you think it would be reasonable, if the Dominion Parliament passed a law prohibiting the manufacture of liquor, that you should be paid for your plant and machinery that would be rendered useless?—Most decidedly.

5421a. Supposing a change was made in the tariff that would affect manufacturers, have they a right to be paid for machinery that would be practically rendered useless?—I think so.

By Rev. Dr. McLeod:

5422a. But that has not been the rule, has it?—Well, I think it has.

5423a. Suppose that at next session of Parliament many industries should be practically wiped out by a change in the tariff should those people be paid for the loss?—I think they should in a case like the distilling business where we have had the protection of Government, and where we pay a large amount of duty. We have gone on here in the past for thirty odd years, increasing this business, paying the Government for the privilege of doing the business; and if they passed any legislation which was going to wipe us out, we should certainly expect to be reimbursed.

5424a. During that thirty years you have enjoyed certain privileges, you have been permitted to engage in a very profitable business, and have been protected by the laws of the country in carrying on that business. Why should you expect to be paid because a change in public sentiment wiped out the business? Why should not the furniture manufacturer, or the agricultural implement manufacturer, if a change is made in the tariff that will render his machinery useless from the fact that he cannot compete with other manufacturers elsewhere—why should he not be paid?—Well, I think he should.

5425a. He has been protected as you have been, and he has had to pay in some degree for that protection by custom duties on material that enters into the manufacture of his implements or furniture, as the case may be; why should he not be paid for his machinery?—I think he should be, if the Government have done anything to start this industry. Take the furniture establishment here in Walkerville. We have got a nice establishment, with some \$50,000 capital. Now, the Government, under the present tariff, practically invites foreigners to come in here and go into the business; that was the object of the tariff. Here is an instance of it right here in the Globe Furniture Company. Under that tariff a gentleman came from Michigan and said: We can manufacture our furniture here, in our specialties, under your tariff and get a nice business. We put some money in with them to get it started. Now, if the Government should change that tariff, taking the duty off entirely, adopting any legislation which would throw this company out of employment and render their whole plant useless, I should say decidedly, as a matter of equity, that the Government ought to reimburse this company.

5426a. The Government did not compel these people to come over here and establish this business and invest their capital. The Government merely reflects public opinion in lowering or increasing the duty from time to time. Under our form of Government, Parliament reflects the opinions of the people. But when a duty was put on furniture, the Government did not compel these people or yourself to invest any money in a furniture factory, you did it because you thought it would be profitable. Now, if a condition of things came about which made it unprofitable for them to continue that manufacture here, why should they be paid for the plant and machinery that would be rendered useless?—You are right in saying that the Government did not compel this company to come here, but they offered inducements for them to come.

By Judge McDonald:

5427a. Has the Government required you, in your business, to provide certain lines of machinery or plant, or whatever you please to call it?—I was coming to that in a moment. You have mentioned the furniture company or any other manufacturing concern as a parallel case. Now, it is not a parallel case at all. Under the present

FRANKLIN H. WALKER.

laws governing the manufacture of whisky, as you gentlemen know, we have to carry the whisky two years before we can sell it. That is done in the interest of the consumer.

By Mr. Clarke :

5428a. There is an impression in the minds of a good many people that it was done in the interest of the distillers?—There are a great many impressions lurking in the minds of people generally, that are erroneous. The first thing the distillers heard of it was a statement made by Mr. Miall himself. I saw him on the river one day, and he said : At our next session we are going to take this plan. I am sure that the first indication of a change came from the department. Now, look at the result. Formerly we could go along, carrying three or four hundred thousand proof gallons. Sometimes our stock would run down to less than a hundred thousand. Now we are carrying in our warehouses something over four million proof gallons. We have got to carry every gallon of that two years before we can use it.

By Rev. Dr. McLeod :

5429a. Has the effect been to shut up some small distilleries, and prevent others from beginning?—I do not think it has shut up any, but it may have prevented others from going into it. If we were out of the business now, under present regulations, we would never go into the distilling business again, never in the world. It requires such an enormous outlay.

By Mr. Clarke :

5430a. The Government have imposed certain conditions upon you since you began, and if you had to commence business again you would not think of going into it under these conditions?—No.

5431a. Is there a similar impost or obligation on implement or stove manufacturers, or anything of that kind?—No, and I say that is where the cases are dissimilar. Last September we had 4,200,000 gallons of proof spirits in our warehouses. Distillers who had been making money from year to year right along, have to take that money and put it into plant and stock and enlarge their capacity, as a result of these regulations. Now, the way we feel towards the Government is this : If they pass a prohibitory law and ask us to shut down, we will say to them : Here, gentlemen, is what you have forced us to do. I think we have just cause of complaint.

By Rev. Dr. McLeod :

5432a. Not exactly forced you to do it, but made that a condition of your continuing in the business?—That is it.

By Judge McDonald :

5433a. If you had given up and went out of the business when these new regulations were made, would it mean a loss of all your machinery and plant?—It would mean a serious loss to us to sell out a plant of this size. It is out of the question.

5434a. Would you have found difficulty in selling to new people when these regulations came upon you?—I do not think it would have been possible to get a purchaser for a concern of this size. It is simply a matter of self-preservation.

By Mr. Clarke :

5435a. You were so far in, you had to go on?—Yes ; we could not get out of it.

5436a. Did you ever find competition starting up in a small way from illicit stills in the country?—That is done to a certain extent, but you cannot tell to what extent.

5437a. As a general thing licensed distillers keep an eye about them, and in case such places do start up, do they call the attention of the authorities to them?—That would be a natural result if distillers discovered such places, but I do not know that a distiller ever did make such a discovery.

5438a. Last year, when we were down in the Province of Quebec, we took a good deal of evidence in reference to that liquor that was attempted to be smuggled in, and a good deal was brought in from St. Pierre, up the St. Lawrence. It was stated that in

some cases where liquor had been seized, the Government sold it by auction, and that the distillers in some cases had to buy it in for self-protection, and then rectify it?—Yes.

5439a. Have you any remarks you wish to make in connection with that matter?—Yes, we have thought about the action of the Government in selling the whisky.

5440a. We found that when the Government were exacting duties from the distillers, and requiring them to keep spirits in stock for two years, there was a complaint that this stuff should be sold right upon the market. It was said to be raw, crude spirits, made in the States, and exported from New York or Boston, and the parties got it upon our market and got rid of the bonding provision to which Canadian distillers were subject?—The history of that case is about this: These people who are interested in the trade go to New York or Boston and buy a crude, raw spirit, I do not think it is any better than the spirit we send to Ottawa to make methylated spirits, raw alcohol. These people buy that very cheap. They could buy the same thing of Canadian distillers very cheap if the Government would allow us to sell it, but we are prohibited from selling it. They run this down to St. Pierre, and the schooner either lands the stuff at St. Pierre, or, as I think is the case usually, they send a small quantity in and give the Customs officer five or ten dollars for a landing certificate. They return that landing certificate back to New York or Boston, cancelling the boat's bond, and the ship clears. Then they take it up the St. Lawrence, transfer it to small river schooners, and they run it up and land it along the shore wherever they see opportunity. The Customs officers here made a few seizures down there, but they are few compared with the quantity that has been brought into the country, I am sure. When they made those seizures they were exacting from distillers \$1.50 a proof gallon for internal revenue tax and excise. Now the Government take that spirit and advertise it for sale by auction. They put it up in some cases for less than the duty which we were paying on it, and turned it out into the country, raw crude spirits, duty paid, where they will not permit a Canadian distiller to sell anything that is not fully matured, after paying \$1.50 tax on it. It is a great injustice to the Canadian distillers. It is a great surprise to me that the Government have not stopped that thing before.

5441a. It was a great injustice to the consumer, was it not?—A great injustice. These people down the St. Lawrence were drinking that stuff and simply poisoning themselves. The stuff was awful. It was barely fit for manufacturing purposes. I think the Government have one or two officers down there now, but the Gulf is a pretty wide body of water. That thing has been going on to a much greater extent than the Government admits.

5442a. Has the smuggling in recent years had any perceptible effect on the sales of distillers?—Yes, decidedly. Of course it is difficult for us to say how much, because the decreased sales by distillers may have resulted from some other causes.

By Rev. Dr. McLeod:

5443a. You pay a license from year to year?—Yes.

5444a. What amount?—I think it is \$250.

5445a. Then the Government has certain officers on the premises?—Yes.

5446a. How many?—I think at present we have 11 or 12. They have charge of the whole premises. Every gallon of stock we have is in their charge and under their lock and key.

5447a. Until it is shipped?—Until it is matured, yes.

By Mr. Clarke:

5448a. The Government is practically a partner with you in the business?—They handle the whole thing.

By Rev. Dr. McLeod:

5449a. Some person told us that they get the lion's share of the profits?—There is no question about it. Our sales are a million gallons a year, or they should be; they used to be more than that. The Government get out of that a million and a half of money. We do not get anything like it.

FRANKLIN H. WALKER.

By Mr. Clarke :

5450a. They have no capital invested ?—They have ten or twelve officers here, and they receive for their revenue for the country a million and a half dollars a year. All the capital they have invested, I suppose, is merely the wages they pay these officers.

By Rev. Dr. McLeod :

5451a. How many cattle do you feed here ?—Last year we fed 2,400.

5452a. Are these sent here for feeding ?—They are sent here. Formerly we bought the cattle and fed them ourselves ; but the last few years we have sold our stock in trade, and simply supply the feed. Then from here, of course, they go generally to England.

By Rev. Dr. McLeod :

5453a. That is really a part of the distilling business, it is all under this management ?—Yes, it is a part of this business.

5454a. That employed part of the labour you speak of ?—No, I did not include those men in my figures. Those men did not belong to us, they belong to the people who own the cattle, since we have given it up.

By Mr. Clarke :

5455a. Do you feed any hogs ?—We usually feed a few hogs, I think eight or sixteen hogs.

By Rev. Dr. McLeod :

5456a. Is there a brewery here ?—Yes, the Walkerville Brewing Company.

5457a. Does the number of employees you have mentioned include those engaged in the brewery business ?—No, only those in the distillery.

5458a. These companies practically own the town ?—Yes, the different companies, with the exception of what may be owned by the men.

By Mr. Clarke :

5459a. Is there any restriction upon the working men or employees of your company, in buying their land or houses ?—Not the slightest. This Land Co., are making a specialty of selling lots and houses, and they sell to the men in town who want them.

5460a. There is a licensed retail place here, is there not ?—I think there is one.

By Rev. Dr. McLeod :

5461a. A saloon or a hotel ?—I do not think it is either, I think it is a retail shop.

5462a. But they are not permitted to sell for consumption on the premises ?—I think this man is not, he is a retailer. But there is one bar licensed here, we have a little hotel here, The Crown Inn.

By Mr. Clarke :

5463a. Do you attribute your immunity from drunkenness and drink, to proximity to Windsor and Detroit ? Do the people here who require liquor go to Windsor or to Detroit instead of buying it here, and does that account for the absence of drunkenness and disorderly conduct ?—It would hardly seem to be so to me. I suppose some of our men go off to Windsor or Detroit in the evening, but we are sure to see them in the morning.

By Judge McDonald :

5464a. If the Government were to pay the company for the amount invested in plant and machinery and so on, would it be worth while for you to give up the business ?—Well, you ask me a question which I have not considered at all. I am not quite prepared to answer.

5465a. Supposing the Government, as some people suggest, were to take the manufacture of spirits for sacramental, mechanical and medicinal purposes into their own

hands—although it is hardly a possible case—would it be an object for you and other gentlemen in the trade to have the Government do that?—Of course it would depend on whether they would be willing to buy out the business at a valuation of what it was worth, which they should do if they were to conduct the business as any business man would conduct it.

5466a. You would include in that valuation the good-will?—Yes.

5467a. Apart from the good-will, if they bought your factory with the machinery and the stock in hand?—It would depend even then on what valuation they put upon it. I can say this: that this company will be very glad, now or at any time, to sell out this whole business, but we would want to sell it to you on business principles.

5468a. I suppose your business is what may be called a well established one?—Yes.

5469a. It has been building up for thirty years?—Yes.

5470a. And all the time making larger business connections?—Yes.

By Mr. Clarke:

5471a. Could you give us statistics as to the amount of freight you pay?—What we pay would not be a very good criterion. For instance, we ship some whisky to Montreal and Quebec, to which we send consignments, and we pay the freight on it; but whisky we sell in Toronto, London and Hamilton, is custom trade. We sell it free on board the cars here. Of course I could get an estimate of the freight on all shipments.

5472a. I ask this because the carrying industry would be affected by prohibition?—I can get that for you, but it would take some time.

By Judge McDonald:

5473a. By the bye, are you troubled with these imitations?—Greatly.

5474a. We found last year, when in Montreal, that a lithographer was accustomed to make imitation labels of different kinds of spirits and liquors, which he sold to whoever wished to buy, and he made them to order, and he sometimes had a supply on hand. He said it was quite a branch of his business?—There are those who make a speciality of printing imitation labels. It is worse in the States than with us.

5475a. We understood that some men are accustomed to take liquor of any kind, and colour it with various substances, and then put a label upon it with whatever name they choose to call it, and sell it. Do you find imitations in that respect?—Yes, a great many people are doing that. There is a great deal of stuff sold in the country under the name of Canadian whisky made at Walkerville, that has never seen Walkerville at all.

By Mr. Clarke:

5476a. You consider that rather complimentary to your Walkerville product?—It is rather complimentary, but we do not derive benefit from it. There was a curious article in one of the trade papers not long ago. They spoke of a circular which they themselves had received from a lithographer, offering to supply labels for any liquor, specifying all the names of all the leading whiskies and brandies. This man went on to say that he would be glad to furnish labels at a very low rate for all these brands. There are men in Chicago and Cincinnati who make a business of putting up imitation liquors. We had a law suit with a concern there two years ago, a man who got out a label imitating ours, and had a bottle imitating ours, and the whisky about the same colour, but nothing like it in any other way. The flavour was not like it, it may have been as good or better. This man was putting it out as our whisky, and we had to get an injunction to stop him. He had it scattered all over the Western States.

By Judge McDonald:

5477a. Are the empty casks returned to you?—In Canada, yes.

5478a. Do you know whether in these there were ever found articles that had been used for adulteration?—Yes, but it is not very frequent.

5479a. What articles are used?—I have known of beef and tobacco.

5480a. We have been told about tobacco, and a substance called blue stone, that is used in the rural districts?—I have never discovered that.

FRANKLIN H. WALKER.

By Mr. Clarke :

5481a. What ingredients have you discovered?—Particularly beef and tobacco, and I have seen some tea.

5482a. What is the beef put in for?—For flavouring, to give the spirit a little more body.

By Judge McDonald :

5483a. The theory in regard to tobacco in our eastern section of Toronto, so far as I understood, was this: that the barrels generally came from country tavern-keepers, and it was supposed they had diluted to a large extent with water, and then they put in the tobacco in order to bring on a fiery taste?—They buy a weak strength of spirit. In that part of the country they don't drink whisky. In the Province of Quebec and further down, they don't drink whisky at all.

5484a. This was in a town in Ontario?—In the Province of Quebec and east of that, they drink what they call "whisky blanc," a strong spirit, fifty or sixty-five over proof, in some cases coloured, and in some cases not. It is pure spirits of alcohol.

5485a. This United States spirits that comes in raw would suit their palate?—Yes. These men like something that will scratch all the way down. I had experience in Montreal a few years ago. I had not been down there for some time, and our agent wanted me to call upon a man in the trade who was not buying our whisky. I went to him and found him a nice fellow, thoroughly French. I asked him why he did not use our whisky? "Well, he said, your whisky is not so good as So and So's." I knew this other man's whisky, he was a man who was not at all particular with the spirit he made, and was turning out some very rank stuff. This French gentleman said that our whisky was not so good as that, although there was really no comparison between the two. I asked him then to explain why it was not so good, what he thought was wrong with ours. "Well," he said, "I will tell you: A man comes in here and I give him your whisky, or whisky like yours, and he takes it out to a little place in the country, and he comes back next day and says he don't want that stuff." Why? I ask him. "Because," he says, "they don't feel it when it goes down." And this Montreal trader actually thought that that was a test of quality. They have got an American spirit now that suits that class of men, they are drinking that smuggled stuff.

WILLIAM ROBBINS, of Walkerville, book-keeper, on being duly sworn, deposed as follows:—

By Judge McDonald :

5486a. How long have you resided in Walkerville?—Nearly six years.

5487a. You have been all the time in the employment of the company?—Yes. I am Secretary for the Walkerville Distilling Company.

5488a. Your duties are, I suppose, the ordinary duties of a secretary?—Well, in a little different way, they are more executive. Mr. Frank Walker has the management of the distillery, but when he is away, as he is a great deal, then I have to look after it.

5489a. You are to a certain extent superintendent?—Yes, although we have a superintendent, that is, a man outside who looks after the machinery. My duties are more in the way of management than a secretary's duties are supposed to be ordinarily.

5490a. Is there any statement that you wish to make to us in connection with the business, that comes within your particular knowledge of the work?—I hardly know how much Mr. Walker has already told you about the business, probably he has covered the same ground I would cover. In some respects I am much more in touch with the business than he is, particularly as to our export business, which is a growing feature here, and a very important feature.

5491a. To what countries do you export?—A great many, I can give you a list of them in print.

5492a. Do you find the business constantly growing?—Yes, phenomenally so, in some directions. In the United States it is merely wonderful. We started our agency in Chicago in February, 1888, and during the whole of that year we only sent 340 cases; the next year, exactly the same; the next year, 460 cases. That trade is now running at the rate of seven or eight thousand cases.

5493a. Is Chicago a shipping point for the Western States?—That is the central agency for a number of the Western States.

5494a. Now, where liquors are exported, what is the rule as to bonding and duties?—For some of our customers we pay all the duties ourselves. We take the goods across to Detroit and store them there, we keep a stock there. Our man pays the duties and attends to all the entries, and we sell duty paid. In such a case, the Canadian Government do not charge us excise.

5495a. You save the excise duty, but you pay the United States customs?—Yes.

5496a. Do you export to any extent to Europe?—To some extent. That is growing in a marked manner, every foreign market is growing, some much faster than others. Some markets are much more conservative. The European market is the most conservative in the world. We have not attempted much on the continent until quite lately, but we have had an office in Great Britain for about four years.

5497a. You buy a certain amount of Canadian grain?—Yes.

5498a. Is much of that grain raised in the county of Essex?—A good deal.

5499a. Then you import, as we learn from Mr. Walker, a certain amount of American grain?—Yes.

5500a. Is it grain that you cannot get in Canada?—There is not enough raised here, as I have always understood, for our purposes, but we make it a practice to buy all the grain that offers here locally.

5501a. Do you buy the fuel here, the coal that you use?—That is all bought on the other side.

5502a. I suppose wood is becoming scarce in this section of the country for fuel purposes?—I suppose it is. We do not use very much of it.

5503a. You might give us some explanation regarding the quality of your product. I suppose you have obtained medical opinion on that subject?—We have a large number of letters which have come in in the ordinary way from medical men on the other side, and we would be very glad to place them at the disposal of the Commission. A great many of them express an opinion as to the value of alcohol as a stimulant in certain cases; a great many of them speak of the extreme difficulty of obtaining pure whisky for medicinal use and a great many are very complimentary of our whisky. These we receive from time to time, and for the convenience of our business we have always kept them on a separate file; so that I could hand them over to the Commission, who could peruse them and make any extracts, or retain any of the originals they might want.

By Rev. Dr. McLeod:

5504a. Are those voluntary communications?—They are in response to our offering to send samples to the medical profession.

By Judge McDonald:

5505a. I think so far as they speak of the advantage of alcohol for medicinal purposes, they would come within the scope of our enquiry. Do they speak of the quantity of impure liquor that is put on to the market?—A great many of them do that. It occurred to me that they would be useful as showing that Canada is supplying a liquor which is regarded very largely by the medical profession as supplying a need, and as being something which they have had difficulty to get. We have a great many letters which speak on that point.

5506a. The adulteration of liquor is one of the points on which we are to enquire?—The adulteration of liquor in the United States is colossal.

5507a. Speaking as a citizen, do you think it would be well that liquors sold by retail over the bar, should be subjected to frequent inspection?—We would certainly be very glad to see anything that would tend to prevent adulteration, because we suffer

WILLIAM ROBBINS.

enormously from it. I am sure we would be very glad if the Government could devise some means of preventing whisky and other liquors that are sold over bars, from being tampered with after they come into the possession of the retail dealers. Our theory is that it is the bad whisky that does more harm than anything else.

By Rev. Dr. McLeod :

5508a. Our Commission charges us to examine into the effects of the liquor traffic on the social conditions of the country at large, and on the morals of the people, as well as on the industrial interests and business generally. Now, from your point of view as a business man, what have you observed of the effects of the liquor traffic, as it is established and carried on, on the social conditions?—I have travelled extensively, before I came here. I used to be on the move nearly all the time for 12 or 14 years, largely in the United States, and have lived there for some time. My observation has been that in every community where the liquor traffic was supposed to be suppressed, there was a demoralizing state of things. I once went into a large hotel in a prohibition neighbourhood, and I had not been in the place many minutes before I was told that if I wanted something to drink, the bar was in Room No. 90. I made inquiries on the subject and all tended in the same direction. We have frequent visitors here from the United States. A little while ago we had four men here from Ohio. They told us their town was a prohibition town, and it utterly demoralized the young men of that town. They had formed clubs in a neighbouring town where they had not this regulation, and used to drive there for no other purpose than to get liquor. This is the first time I have ever lived in a community so closely in touch with the liquor interest as Walkerville. This is the soberest town I ever saw in my life, I have never seen a Walkerville man intoxicated during the nearly six years I have been here. I have established my home here, and I certainly should not want to do that if the moral aspect of the thing was not satisfactory, because there is no other influence brought to bear on me to live here; in fact the Messrs. Walker expected I would have preferred to live in Detroit when I came here. But I find everything here in good order, the citizens all that could be desired. We have no brawling here; all the drunkenness I have ever seen in Walkerville has been principally imported from Detroit.

5509a. Then do we understand that the more abundant whisky is, the better the condition is?—No, I would not say that, but I would say that a well regulated whisky traffic is far better than any attempt to suppress it.

5510a. Have you observed that the whisky traffic, as it is carried on elsewhere, does have an injurious effect upon social conditions and upon morals?—I have always noticed that excessive drinking is a bad thing, the same as excessive eating, or excess in anything else.

5511a. In the same sense and degree?—Of course excessive eating never caused a man to beat his wife and turn his family out doors. I think there is no excess so bad as excessive drinking, anyone must admit that; but I have never seen coercive legislation bring about true temperance, in my judgment.

5512a. I was not asking the question about coercive legislation: but the Commission says that we must examine the effects of the liquor traffic in these respects, and upon all the interests that are touched by it?—Well, I frankly admit that if every man who is drinking to excess now, could be induced to stop it, it would be a glorious thing.

5513a. Do you regard the liquor traffic, as it is established, as bearing any relation to what you call the excessive use of liquors, and the evils resulting therefrom, and as being somewhat responsible for those things?—I think that the liquor traffic is a thing that must exist, and in making pure liquor I think the manufacturer is doing his part in the interest of true temperance, that is the view I take of it. I think that the adulteration of liquor should be stopped so far as possible.

5514a. Do you regard the liquor traffic as established as contributing in any sense to the success of the country commercially, or otherwise?—Yes, I do; and one reason for that is that in any prohibition neighbourhood where I have been, I have noticed a stagnation of business. I think that has been the experience in Canada. I have per-

sonally observed that when we got into a Scott Act town there was a falling off of prosperity.

5515a. Do you think that the liquor traffic, as it is carried on in any community, is promotive of the success of other industries?—Do you mean to ask whether, if that were taken away, the others would not go along just as well.

5516a. Or better; and whether the fact of its existence interferes somewhat with the success of other industries?—Of course I imagine that we would probably approach that question from a different stand point I think that during your time and mine, and a long time after, men will drink something.

5517a. I fear so?—I think they will, consequently I think that to remove the liquor traffic in any way which is practicable to us, which is by coercive legislation, will not improve the condition of things, but rather the reverse. There will be illicit drinking, the liquor will be of a worse character, and there will be breaches of the law which are very demoralizing in themselves, because people will lose respect for the law. If we could discuss this matter by agreeing that it was possible to stop drinking, then it would be a different thing; but I do not believe that is possible, and therefore I should naturally answer such a question in a different way from that in which it would be answered by a man who believes that you can stop it. I believe the making and consumption of liquor will go on; therefore I believe that regulating it in a wise way is all we can possibly do.

5518a. Another question growing out of your statement—suppose that moral influences continued steadily at work until by and by there came a time when everybody would be practically abstainers; would that condition of things be equal to the present?—Well, I must say that although I have been the nearest thing in the world to a teetotaller all my life—I don't suppose I consume two bottles of liquor in a year—I should not want to be unable to obtain it. I kept my poor old mother alive four years on brandy and whisky, and I have seen other members of my own family benefitted by it, and I would not want to see the manufacture of liquor stopped.

5519a. I asked, supposing that people generally did not use it, that they were brought, not by legislative enactments, but by moral influences, not to use it—would that be a better condition of things than the present?—That might be, but it is rather difficult to discuss the question on such a hypothesis. I do not know what the world would be like when men came to that. I never saw an instance of excessive drinking that I did not very much deplore; I never saw a case of suicide that I did not deplore, but the hardware stores must continue to sell knives, although people cut their throats occasionally. The thing is to stop the evil without stopping that which is good. I think there is a great consumption of liquor which is good; I think that after a man gets to a certain age, very often he requires a little stimulant.

By Judge McDonald:

5520a. I would hardly think the hardware store is a parallel with the liquor store, because a man might commit suicide by a knife or a rope, or by drowning; whereas in the other case the evil is produced alone by the one article?—But where am I to get the stimulant if I want it?—I am not really sick, but my forces are weakening, I get wearied, and I want a little something to help me. Where am I to get that?

By Rev. Dr. McLeod:

5521a. But is the drink traffic, as established and carried on, necessary in order that you may get that stimulant occasionally, when it is a pressing necessity?—I do not know how you will manage it otherwise, because I have been told by a man from Bel-fountain that doctors' certificates were regularly sold in that town at ten cents a piece, that men went to the drug store to drink, and the drug store was simply converted into a tavern. As I say, I may be feeling indisposed, and I think a little stimulant would do me good, I am a competent man, and am I not to be trusted to regulate that thing for myself? Suppose I am sick, I may be 60 years old and I may require an occasional stimulant, have I got to go to a doctor and get a prescription to enable me to get a little stimulant?

WILLIAM ROBBINS.

5522a. That brings the question up again, does your occasional need of a stimulant make necessary the drink traffic as it exists and as it is carried on?—I think the drink traffic probably can be regulated and improved. I am not a very old man, but I can see a great improvement since I was a young fellow. I can remember when it was not thought an ungentlemanly thing for a man to be overcome with wine at his neighbour's table, and I do not think any man to-day would say that is a gentlemanly thing. There has been a very great change. It seems to me that good influences are going on, and in addition to the better sentiment which is prevailing, we are learning to regulate the trade, and I think perhaps our laws are improved in that way, and perhaps we can still improve those laws; but I do not think we will improve them by attempting to convert men to prohibition by Acts of Parliament.

5523a. You believe in the restrictive features of our license law, for instance, as to certain hours and the Sabbath?—Certainly.

5524a. Of course, those are prohibitive up to a certain point?—Yes, and I think those are wholesome.

5524½a. Have you known any community in which those prohibitions have been observed by licenses?—I have never been much of a frequenter of drinking places, and could not say much on that point. I remember years ago when I was living in Toronto the question of the Dunkin Act came up, and I was making some inquiry about how the Sunday law was observed. I remember the cab man whom I used to employ said he would undertake to drive me to 25 or 30 places between ten and twelve o'clock on Sunday morning, where I could get all the liquor I wanted. That surprised me very much. I have no personal knowledge, because I do not visit these places; but I should say there are some places where the Sunday law is pretty well observed. I do not think I ever observed any considerable amount of intoxication in the streets of Toronto on Sunday, I do not remember ever having seen an intoxicated man on the streets of Detroit on Sunday, although I am there very frequently on Sunday. In fact when I lived in New York, I used frequently to be down at Coney Island on Sunday, and I used to be surprised at the absence of drunkenness and disorder.

By Judge McDonald :

5525a. You have remarked that, according to your observation, where a prohibitory law is in force, there is stagnation of business. Have you any particular place in your mind?—Yes, some years ago I was in Milton, in the county of Halton, and everybody was complaining there. I remember one incident that struck me forcibly, that is I could not get my shoes blacked at the hotel, and it became so uncomfortable to stay in that prohibition town that I was very glad to get out. I neither could get my shoes blacked, nor could I borrow a shoe brush to black them myself.

5526a. That was a stagnation in the hotel business?—That was one result, and the explanation made to me was that business had become so bad that the hotel-keeper had determined to make the people feel the inconvenience of the Scott Act, and therefore they were not affording the ordinary comforts in hotels. I found the merchants complaining that the farmers, instead of coming into Milton, went to some other place to do their business.

5527a. We have been told that liquor was sold in certain places in the town of Milton, and that people could get it?—I dare say they could, but I think, perhaps, it would be freer to the initiated who lived in town than to strangers. I have never looked into this thing to the extent I should have done if I were in sympathy with the Scott Act. But I happened to be in a position to hear these remarks about trade having come away from a Scott Act town, and farmers not coming into market, and so on, and the people appeared to be very anxious to get rid of the Scott Act.

By Mr. Clarke :

5528a. I think you said you have had experience in several prohibition towns?—Yes; I was down through Maine a good deal, and I have been out in Iowa.

5529a. How many years ago since you were in Maine?—I do not think I have been in Maine for nearly ten years, but I used to be there frequently on business.

5530a. Now, what did you find down there?—I used to find that, although I am not much in the habit of going into bars—in fact I might say never—but I was frequently informed that I could get all the drink I wanted, and the men whom I met in travelling, at hotels, always told me that there was no difficulty in getting drink. At that time I was not interested in this traffic, I was in an entirely different business, but I noticed these things as a matter of observation and of general interest, but I never heard anything else from men who travelled in those States.

5531a. At that time did you consider that the condition of things which then existed was better than what would exist under a license law?—I could not see that it was. I could not see that there was any outward manifestation of improvement. I never could see that Portland was any more orderly or any more prosperous in appearance than any other town of similar size. There was nothing to indicate that a different law existed in Portland from what existed elsewhere.

5532a. Was it a healthy thing to have a law on the statute-book, and part of the constitution in fact, ignored and flagrantly violated?—No; that is my great objection to a prohibitory law. I think it hurts the people to pass a law which a great number of them conscientiously feel that they would be justified in breaking; it is demoralizing, and that is the one great objection I have to anything of this sort. I would just as soon pass a law compelling every man to go to church on Sunday, I think there would be just the same revolt against it on the part of a great many people.

5533a. How did you find the condition of affairs in Iowa?—I saw just the same sort of thing as I saw in Maine, and I heard just the same statements—that whisky was brought into the State, eggs were blown empty and filled with whisky, little bottles were sold labelled as medicine, and all this sort of thing. We have letters from doctors in that State, and one of them uses this strong language: “There is very little of good whisky to be got in Iowa, but lots of rot-gut”; that is exactly what I have always heard with regard to Iowa. I should have found it out myself if I had been accustomed to go into the saloons. I did not see it, but I always heard it.

By Judge McDonald:

5534a. How long since you were there?—Probably seven years.

5535a. Were you in any of the river towns?—I was in Des Moines and Council Bluffs several days.

5536a. When you were at Council Bluffs did you require to be told that liquor was on sale, or did your eyes tell you?—That I could not say, because bars had no interest for me whatever.

5537a. I mean from the window, as you passed along the street?—I could not say about that.

By Mr. Clarke:

5538a. A general disregard of the law, that was your experience in Iowa and Maine?—That is what I heard from men who, I supposed, knew; they informed me that I could get all the whisky I wanted, but I was not after whisky.

5539a. But the information was given to you gratuitously in those hotels?—Yes, I have been told several times that if I wanted anything, the bar-room was pointed out to me.

5540a. Did you have any experience of the Scott Act in other places besides the county of Halton?—I think I have, although I cannot quite locate them. I think I had some experience in Orangeville. I used to travel about so much that it would be a little hard for me to say definitely, and I am not clear on this point. But I never heard but the one story, and I have talked to a great many men who felt just as I did, who would like to see true temperance, as we regard it. I have not been in the habit of talking to men who were excessive drinkers, because I did not run across them; but whoever talked to me on this subject told just about the same story—that the law was disregarded, that young men were in the habit of keeping packages of liquor in their rooms who had never done it before, and that business was suffering. That is the verdict I always heard.

WILLIAM ROBBINS.

THOMAS SMITH, Mayor of Walkerville, on being duly sworn, deposed as follows :

By Judge McDonald :

- 5541a. What is your business occupation ?—Baker.
 5542a. How long have you resided in Walkerville ?—About 12 years.
 5543a. The town has been incorporated since you resided here ?—Yes.
 5544a. How do you find the place as respects order ?—It is a very orderly place, the most orderly place I ever saw.
 5545a. Do you discharge the duties of Police Magistrate here ?—Yes.
 5546a. Have you many cases of drunkenness or disorderly conduct to try ?—Very few. I have had only three in nine months, and one of those came drunk from Windsor.
 5547a. So that sobriety prevails in this community ?—Yes.
 5548a. Are what would be called the distillery interests of importance in this town ?—Yes, I consider them very important for the prosperity of the town, and the business interests.
 5549a. You have other manufactures, here, we learn ?—Yes.
 5550a. Taking them all in all, do they seem to be doing well ?—Apparently they are doing well. The town is in a prosperous condition.
 5551a. Do you know the assessed value of the town ?—I think it is \$1,500,000 in round figures.
 5552a. What is your rate of taxation ?—Four mills is the general rate, and one mill for school rates.

By Mr. Clarke :

- 5553a. That is a marvellously low rate; what does that expenditure cover ?—The general expenses of the town, including the county rate. We pay \$800 to the county. We are separated from the county, and that \$800 covers our share for the administration of justice, and the use of the county buildings and jail and registry office.
 5554a. Are your streets maintained out of these four mills taxation ?—There is a local improvement rate.
 5555a. How much do local improvements add to the general rate, what is the total rate of taxation ?—I could not give you the figures exactly at present.
 5556a. As near as you can remember ?—I think the local improvement rate is in the neighbourhood of \$40,000 or \$45,000.
 5557a. Have you street lighting here ?—Yes.
 5558a. You get your streets watered in the summer ?—No. We pay a water tax, but nothing for water service in the summer.
 5559a. How is that tax levied ?—According to the quantity of water used, we have meters.
 5560a. Now, what would the water cost in an ordinary house of six or seven rooms, with a kitchen tap and a closet and bath room tap, a family of five or seven persons ?—That would be about \$10 a year.
 5561a. Have you any debt ?—No.
 5562a. How is your police force paid ?—Out of the general rate.
 5563a. So that your school, your town clerk, your roads, and all that, are maintained at a rate of six or seven mills to the dollar, at the outside ?—Yes, less than that. Our rate was higher last year, and we wiped off some extra debt in order to save the trouble of giving debentures. Last year we wiped off something in the neighbourhood of \$2,500.
 5564a. Do you know any other municipality with a rate as low as four or five mills, including schools ?—I do not know of any other municipality in Ontario which has a rate of less than seventeen mills.
 5565a. To what do you attribute your low rate ? Have you been taxing yourselves very heavily in years past for roads and school buildings ?—Our taxes are much less since we have been incorporated.

By Judge McDonald :

5566a. How long have you lived in the county of Essex ?—About 13 years.

5567a. Have you found in the county, and as a rule in this part of the country, an increase in the temperate habits of the people ?—Do you find that there is less drunkenness than there used to be in years gone by ?—Yes, I think there is slightly less.

5568a. Of course in Walkerville, from what you say, there is not room for much decrease, if you only had three people arrested for drunkenness in nine months ?—We had no resident of the town arrested.

5569a. All the other cases were outsiders ?—Were outsiders. One of them got his drink in Windsor, and the others were not residents.

By Mr. Clarke :

5570a. How many police have you ?—Two.

5571a. Is it their duty to arrest people who are intoxicated ?—Yes.

5572a. Is it reasonable to conclude that there were no drunken men about the streets except those three, that is, that the police were vigilant in arresting any drunken man that was loitering about the street ?—I think so.

By Rev. Dr. McLeod :

5573a. Is it a rule of the police to arrest every person who is found intoxicated on the streets, though he is not disorderly ?—It is their duty to do so.

5574a. In some places it is a rule of the police that even though a man is walking unsteadily and is evidently intoxicated, if he is heading homeward and not making a disturbance, they let him go. Do you know whether that is the rule of your police ?—If a man is going along and is minding his own business and is capable of taking care of himself, I do not hold with the police arresting him.

By Judge McDonald :

5575a. Would you favour the passing of a prohibitory law for Canada ?—I would not.

5576a. Do you think if such a law were passed it could be successfully enforced ?—I do not think it could be.

5577a. In case such a law were enacted, would you deem it right that brewers and distillers should be remunerated for their plant and machinery that would be rendered useless ?—Yes, I think they should be, but I am not in favour of a prohibitory law at all.

5578a. But supposing there was one, would you think it right they should be remunerated ?—I think so.

By Rev. Dr. McLeod :

5579a. I suppose these various companies here pay the most of the taxes, do they not ?—That is what makes our rates so low.

5580a. They practically own the town ?—Yes, the largest part of it.

5581a. At any rate they own nearly all the property amongst them, and they pay most of the taxes. How many men have you in the Town Council ?—Nine.

5582a. Are these men in the Town Council employees of these companies, or concerned in them in any way ?—No, our Council is principally an independent Council now.

5583a. Are you concerned in any way in any of these companies, the Furniture Company or the Land Company, for instance ?—No.

5584a. Do you know whether many of the Councillors are concerned in those companies, or employees or proprietors ?—Some of them are.

By Mr. Clarke :

5585a. Is the property of those companies assessed on the same basis as other property ?—On the same basis.

5586a. And they pay what they are assessed the same as you do ?—Yes. I think we have a very just assessment.

THOMAS SMITH.

5587a. I think you have got a very low rate of assessment?—On account of the immense capital that is invested, our rates are very low.

5588a. Do you find a police force of two men are sufficient to preserve order and protect the peaceable citizens?—Yes, they have very little work to do. Of course, they have their beats to travel over but they have no trouble in keeping order.

By Rev. Dr. McLeod :

5589a. You have two licenses here, a saloon license and a shop license?—A hotel and a shop license.

5590a. Do you know whether these licensees observe the provisions of the license law?—I think they do.

5591a. I suppose that hotel man sells on Sunday?—I am certain he does not.

5592a. And would the shop licensed man sell in less quantities than the law permits, or would he sell for consumption on the premises?—I have no direct proof that he does, but I believe he does.

5593a. You are afraid that he is not keeping the law?—I do not think he observes the law as he should, although I have no proof on the matter.

5594a. You are Acting Magistrate too, are you not?—Yes.

5595a. Has he ever been before you for violation of the law?—No.

5596a. Has anybody made a charge against him?—No.

By Judge McDonald :

5597a. You have but one hotel here?—Only one.

5598a. What is the population of your town?—Between 900 and 1,000. I think it will reach 1,000.

5599a. Do you find that one hotel is sufficient for the purposes of the town?—One hotel is sufficient.

5600a. Do you think it an advantage to have a small number of licensed places in a town?—Yes.

5601a. Would you prefer to have a limited number of places with a high license fee, or a lot of places with a low license fee?—A limited number of licenses with a high license fee. I think they are kept under better control.

5602a. What is the fee here?—\$300 for both the shop and the hotel.

5603a. Your experience would lead you to believe that a fewer number of places with a higher license, is the better system?—Yes, that is my view of the matter.

By Rev. Dr. McLeod :

5604a. What is the advantage of having a small number rather than a large number?—When there are a large number licensed, they are more apt to keep low, miserable houses.

5605a. In some places we have found a license for every 400 of the inhabitants, but you have only one here for about 1,000. Would it be an advantage to have another license, or do you think it would be a disadvantage to the town to have two or three places where drink could be sold?—I do not know that there would be any particular disadvantage, but still I think one house is sufficient for the accommodation of the town. My idea of an hotel is that it should not be a mere drinking shop, although it is necessary that it should have a license.

5606a. I suppose you would not care to have a saloon here?—No, if it was a mere drinking house, I would oppose it.

5607a. Do you think it would be a disadvantage to the town?—I do—not from the point of view of drinking, but on account of the class of people who generally frequent those drinking houses.

5608a. Do you think a saloon will create that class of people?—I do, to a certain extent; at least, if it did not create them, it would encourage them.

By Judge McDonald :

5609a. From your point of view, it would appear that if either had to be done away with, a licensed hotel or a saloon, it would be better to do away with the saloon?—I think so.

By Mr. Clarke :

5610a. Is it well to have respectable men in the trade?—I think so.

5611a. Why?—It is well to have respectable men in all branches of business, and I think it is well to encourage and support respectable men in business.

5612a. The view has been presented that it would be well to make the trade as disreputable as possible so that decent people would not go into it and patronize it. Do you think that plan would promote the best interest of the community?—I think it is these low houses that encourage what I call the treating practice, that bring ill will upon the liquor traffic.

5613a. Would it be well to bring the traffic into disrepute as quickly as possible so as to get rid of it altogether?—No, I do not think so.

5614a. Have you had any experience in any other place where there was a local prohibitory law?—I have never lived in any place where they had a local prohibitory law, though I have been in Essex Centre when they had a local prohibitory law, and I think there was more low drinking done there at that time than at any other time.

5615a. Would Essex Centre, under that prohibitory law, compare favourably with Walkerville under license?—No, I think not for sobriety and law-abiding citizens.

5616a. Your experience of Essex Centre was that under a local prohibitory law there was a lot of low drinking carried on?—Yes.

By Rev. Dr. McLeod :

5617a. Have you a temperance society in this town?—We are all temperance people here.

5618a. I mean is there any temperance organization?—No; not that I am aware of.

5619a. There are churches here?—Yes, two churches.

5620a. What denomination are they?—Methodist and Episcopalian.

5621a. Do the churches teach temperance?—I think so.

5622a. I have heard that question asked a good many times—whether the churches exercised their influence in that direction. You only think they do, you are not sure?—Well, it is a characteristic of churches generally. I do not attend church in Walkerville, I attend church in Windsor. If you examine the books of the Police Magistrate in almost any town, you will find they have more drunkenness and more disorder than we have in Walkerville.

By Mr. Clarke :

5623a. You would not argue, would you, that the presence of a distillery here promotes temperance?—No, I would not argue that; but I think the manner in which the business is carried on here has a tendency to discourage drunkenness.

5624a. It is not an incentive to drunkenness at any rate?—No.

By Rev. Dr. McLeod :

5625a. I suppose the distillery proprietors would be opposed to the establishment of more saloons here?—I could not say; I never consulted them in the matter. I only speak my own view as Mayor of the town. I have had very little conversation with the proprietors of the distillery.

5626a. Have you been Mayor from the start?—No, only from January.

5627a. Who was your predecessor?—Mr. Walker, of late years.

LUC MONTREUIL, of Walkerville, Grape Grower, on being duly sworn, deposed as follows :—

By Judge McDonald :

5628a. Where do you reside?—My post office is Walkerville, but I reside in the township of Sandwich, East.

5629a. How long have you been engaged in grape growing?—About 15 years.

5630a. Have you any knowledge of the manufacture of what is called native wine?—Yes, I have been engaged in that business for about 10 years.

5631a. What kinds of wine do you make?—We make claret and white wine.

5632a. What is the difference between claret and white wine?—One is white and the other is red.

5633a. Does that depend upon the kind of grape that it is made from?—No, it depends on the way it is made. It is according to the trade.

5634a. What makes the difference between sweet and sour?—The sweet has more sugar in it.

5635a. Which wine of the two has the less spirit?—The wine without sugar has less.

5636a. The sugar produces a certain amount of spirit?—Yes.

5637a. Can you tell us what percentage of alcohol there is in it?—We had some distilled that showed nine per cent, so I am told, I have nothing to prove it.

5638a. You cannot tell of yourself very well?—No, but that is what I understood.

5639a. How many gallons do you produce a year?—On the average about 2,000 gallons a year.

5640a. What would be the value of that per gallon when sold?—It is retailed at about \$1 a gallon—the wholesale price is less. In retailing we have to take account of the losses of kegs and bottles.

5641a. Are there many of these vineyards in the county?—A great many. The industry is increasing very rapidly.

5642a. Is there much wine being made in the county?—They make large quantities in Sandwich and Pelee Islands.

5643a. Are there many farmers making wine for their own use?—A great many. Most of them have wine in their own cellars made by themselves.

5644a. Is there much cider made about here?—Not nearly so much as there used to be.

5645a. Has wine taken the place of cider with the farmers?—They do not raise so many cider apples as formerly, they raise small winter apples.

5646a. In case of a law being passed to prohibit the manufacture of wine, would you be affected injuriously by it?—Yes. But in any case, the grapes will have to be turned into wine, the growing of grapes has increased so rapidly for the last two or three years.

5647a. Then if a prohibitory law were passed, there would be a loss to the farmers who raise the grapes and to those who make the wine, unless they received pay for their loss?—It would stop the growing of grapes. The grapes are so cheap now that people are more and more turning them into wine. I have sold grapes as low as \$18 a ton this year; we could not get a cent a pound for them. A man bought 75 tons which he sent to Montreal a little while ago; he says he bought for \$18 or \$20.

By Rev. Dr. McLeod :

5648a. Do you pay any tax to the Government for producing and selling this wine like the distiller or the brewer?—No.

By Judge McDonald :

5649a. You can drink it yourself, I suppose, but you cannot retail it?—We can sell it in two bottles or a gallon provided it is not consumed on the premises.

By Rev. Dr. McLeod:

5650a. The Government does not get any revenue from this?—No.

By Judge McDonald:

5651a. You could consume it all here by using it yourself?—I cannot sell it to be consumed on the premises. We sold in quantities of two bottles to be drunk on the premises, without paying a license, but the tavern keepers were jealous and made a row.

The Commission adjourned.

WINDSOR, October 12th, 1893.

The Royal Commission met in the Town Hall, at 10 o'clock, a.m.

Present :

JUDGE McDONALD.

MR. E. F. CLARKE.

ELIAS WILLS, of Windsor, Chief of Police, recalled.

By Mr. Clarke :

5652a. You said the practice of the police was not to arrest men who were drunk on the streets unless they were making disorder?—It is the practice to arrest them if they are incapable, but not otherwise, unless we think it is for their benefit.

5653a. What percentage of those who are arrested for drunkenness, are residents of Windsor?—I should judge about 85 per cent, and the other 15 per cent would be strangers.

5654a. I was given to understand that two-thirds of those who were arrested here for drunkenness were strangers from across the river?—No, I think 15 per cent would cover that class.

WILLIAM C. McCUAIG, of Windsor, Secretary of the Young Men's Christian Association, on being duly sworn, deposed as follows :—

By Judge McDonald :

5655a. How long have you lived here?—About 18 months.

5656a. Is your whole time given up to the work of the secretaryship?—Yes.

5657a. Where did you live previously?—In Toronto.

5658a. Have you ever lived where there was a prohibitory law in force?—Never.

5659a. Since you have lived in Windsor, have you been brought much in contact with the people?—With the young men in particular.

5660a. How do you find Windsor as a town for sobriety?—Well, speaking from my own experience, I think I was never in a town where there was more drunkenness and a more general use of liquor than in Windsor.

5661a. Do you see much drunkenness on the street?—Not a great deal on the street, but there is a great deal of drinking going on.

5662a. Drinking to what is usually called excess?—I believe a great deal of it.

5663a. Among what class of people?—I am brought more particularly in contact with the young men, and so I have to speak chiefly with reference to them. I find a great many young men addicted to drink.

5664a. To such an extent as to affect them injuriously?—Yes.

5665a. I suppose that, in occupying the position you do, you are brought in contact with these young men, in trying to keep them from intemperate habits?—Yes.

5666a. How do you account for there being so much of that sort of thing in Windsor, more of it than you have seen in any other place?—I fancy that in Windsor there are a larger number of young men than you will generally find in a town of this size, owing to its being so near Detroit, and for that reason I fancy that the moral tone, which is not high, is very largely modified by the tone across the river.

5667a. You think the proximity of a large city like Detroit has an influence upon the state of things in Windsor?—I believe it has some influence.

5668a. Do you think there are more licensed hotels in Windsor than are necessary for the travelling public?—I believe so.

5669a. From your experience with young men, do you believe that the multiplication of drinking places in a community increases the temptation?—I think so.

5670a. Do you find that young men are apt to loiter about these places, or sit in them doing nothing?—I find in going amongst young men that a very large number of them make these saloons their stopping places. They hang around them all the evening, and around the corners.

5671a. Do you believe that the diminution of the number of drinking places would stop the amount of loafing that goes on?—I believe it would stop a great deal of the loafing.

5672a. Now is there any statement you would like to make to us in regard to this question, as a result of your experience?—I have not been able to give this subject a very close consideration, but speaking at random, and as you might say, on the spur of the moment, I do think, in fact I am sure, that the greatest evil we have to contend with in our association work, and that which is perhaps greater than all the others put altogether, is the liquor traffic. We find that it is exerting on young men a most pernicious influence, and so far as I myself have been able to see, it is the worst evil that exists in this town. More than that, I have felt myself lately that the young men have not been protected as they might be and as they should be in this town.

5673a. In what way?—In regard to saloons selling during prohibited hours. I do not think myself that it is owing to a lack of care or attention on the part of the officers, but yet the fact remains that the saloons are open on Sundays and on Saturday evenings. I have had young men coming to me in the association rooms, young men who are addicted to drink, and they have told me that even on Saturday nights and on Sundays they have liquor almost placed before them, just as on any other day; and they are trying, as far as possible, to keep away from these places. Indeed, in going about our work, on Sunday, I have sometimes seen more drunkenness on the streets than, perhaps, on any other day of the week.

5674a. Have you called the attention of the police to this state of thing?—I have not.

By Mr. Clarke :

5675-6a. Is the sale on Saturday night and Sunday general in all the places?—I think it is pretty general, judging not only from what I myself see, but from what some of the young men have told me.

5677a. Have the executive board of your association drawn the attention of the police or of the City Council to this state of affairs?—They have done nothing.

5678a. If the attention of the authorities were pointedly drawn to this condition of things, would it not be in the interest of temperance?—I think it would.

5679a. Regarding the number of these saloons which place temptations in the way of young men, have you made any efforts to have them reduced, or to reduce the number of hotels and drinking places?—Since I have been in Windsor, my time has been largely taken up with extra and special work which I had on hand; so that really I have given very little attention to the question of reducing the number. From conversation with individuals who are in a position to know, I think there are places which should not be licensed. There are some whose licenses should be taken away from them.

5680a. If an unnecessarily large number of licensed places place temptation in the way of young men and afford facilities for drinking, and if it is desirable to reduce those facilities, surely an effort ought to be made to arouse public opinion and bring it to bear upon the Council and upon the License Commissioners. Are there any temperance societies here?—I believe there are one or two.

5681a. Have they not been moving in the direction of getting the number of licenses reduced?—So far as I know, there has been only one temperance society at work for any length of time, but they have not taken any active step, no aggressive step.

5682a. Do you know anything about the state of things on the other side of the river?—Not very much.

WILLIAM C. McCUAIG.

5683a. Do you attribute the condition that exists on this side to proximity to Detroit?—To a certain extent, for the reason that on Sunday, in particular, I believe a large number of young men come over from Detroit to Windsor and drink here.

5684a. Can they not get liquor on the other side?—They can, and yet for some reason they come over here to spend the afternoon on Sundays. During the week we have young men from Detroit coming over here just to spend their afternoon. It seems that they have greater freedom over here than they have even in Detroit.

5685a. Have you anything further you wish to say?—As to taking steps to close some of these places, not only have I not had time to do anything in that way, but another reason has been that I have not had any support from the association, for the simple reason that a number of the members think that it is not the work of the association, that it would be injurious to the interests of the association to take any such step in this town; so that I have not had the support of those from whom I would naturally look for support in such a work. So that I have really felt that I myself would have to do the whole thing singlehanded.

5686a. To what do you attribute this feeling among the members? Are they afraid of stirring up opposition—I think that is very largely the reason. One gentleman said to me a short time ago, that while he would be glad to see something done, he was very anxious that nothing should be said and nothing should be done that would arouse any ill-feeling on the part of the liquor dealers, or that would cause them to feel that we were on bad terms with them. I believe that feeling is shared by a large proportion of the business men in town.

5687a. Who are identified with the Young Men's Christian Association? Are the members of the Y.M.C.A. under the impression that by letting these things rest, they are protecting their own business interests? Is there a truce between them and the rum-sellers?—I don't know that there is anything of that kind, and yet from what I have heard I believe they are largely afraid of hurting their own material interests.

By Judge McDonald :

5688a. We were told yesterday that the charitable work of the city is handed over to a committee of ladies that exists here?—Yes.

5689a. Do you know anything about that society?—Not much. Its work is not run in connection with the Young Men's Christian Association.

5690a. Do you know if this ladies' society takes any part in promoting temperance work?—I think they come in contact more particularly with poor people.

5691a. Then it may not be called a society for the promotion of total abstinence?—I think not, nor for the promotion of prohibitory principles.

JUDGE McDONALD: The sitting of the Commission in this city is now closed.

The Commission then adjourned.

LONDON, Ont., October 13th, 1893.

The Royal Commission on the Liquor Traffic met at 10 a.m.

Present :

JUDGE McDONALD.

MR. E. F. CLARKE.

JUDGE McDONALD—The sitting of the Royal Commission on the Liquor Traffic is now open in this city. I have to explain the absence of some members of the Commission. The Chairman, Sir Joseph Hickson, having just returned from Europe, is not yet able to be with us. The Rev. Dr. McLeod, who was with us at Windsor, the last place we visited, has been called away on business of importance in the Province of New Brunswick. Mr. Gigault we hope may yet join us in this city.

The Secretary then read the various matters to be inquired into, as set forth in the Commission.

EMMANUEL T. ESSERY, of London, Mayor, on being duly sworn, deposed as follows :—

By Judge McDonald :

5692a. You reside in the city of London ?—Yes.

5693a. How long have you resided here ?—I have grown up here.

5694a. You are Mayor of the city this year ?—I am.

5695a. Were you Mayor previously ?—No. I have never been in the Council until the present year ; but I have been Water Commissioner and Chairman of the Water Commission of the city of London, elected by popular vote.

5696a. Can you tell us what the population of your city is in round numbers ?—Somewhere about 36,000, I think.

5697a. Is it an orderly and law-abiding community ?—Yes.

5698a. You are also a Police Commissioner under the Act ?—Yes. Chairman of the Police Commission.

5699a. How large a police force have you in the city of London ?—I think from 28 to 30 men altogether.

5700a. Do you know how many licensed places there are in the city ?—I do not, but I will get you the information.

5701a. Have you many industrial establishments in London ?—Quite a number.

5702a. Could you name some of them ?—The Grand Trunk Car Works, large furniture establishments on King street, belonging to the London Furniture Company and to Messrs. Ferguson & Sons, iron or machine works of William Yates, and Stevens & Burns, and quite a number of manufacturing establishments.

5703a. We understand there are some establishments here engaged in the liquor manufacture ?—Yes, we have two breweries that are largely known all over the country.

5704a. Have you any distilleries in London ?—No, there is no distillery in London.

5705a. Do you know the class of men employed in these manufacturing establishments ? Are many of them foreigners ?—No, not so many as you would find in some cities. They are mostly old country people and descendants of old country people—English, Irish, Scotch, Welsh, and some foreigners—Germans, Italians and different other nationalities.

EMMANUEL T. ESSERY.

5706a. Are the class of people engaged in the factories a sober and industrious people?—Taking them as a whole, they are as sober and industrious as any other body of men in the country—a very creditable lot of men.

5707a. Do you believe the number of licensed houses in this city is in excess of the requirements of the people?—I believe we could do with less licenses than we have. In fact, I am a prohibitionist, and I may as well acknowledge it.

5708a. You are a prohibitionist in principle?—Yes.

5709a. You are opposed to the licensing of the traffic altogether?—I am opposed to the licensing of the traffic altogether, simply because I believe that alcohol should be used for manufacturing, for the fine arts and for medicinal purposes, but that it should not be sold in the manner in which it is over the counter; that it should be dealt with similarly to certain articles in the drug stores—used where it is beneficial, and that the public should not have the full use of it.

5710a. Would you favour, the enactment of a prohibitory law for the whole Dominion, so far as intoxicating liquors for beverage purposes are concerned?—I would, because I believe it would be in the interest of the whole Dominion.

5711a. You would prohibit the importation, manufacture and sale except for the purposes you mention?—Except for the arts and manufactures.

5712a. And sacramental purposes?—And medicinal purposes. I do not go so far as to say if a doctor ordered me liquor, I would not take it under his instructions. But, outside of that, I do not think it should be used as it is.

5713a. In case of the enactment of such a law for the whole Dominion, to what authority would you commit the enforcement of it?—To both the Provincial and Dominion authorities. I think if the Dominion Government makes it a law, the Provincial Governments should assist to carry it out. But all officers who obtain public pay and perform public duties should see that the law is carried out, in this case the same as they would in any other.

5714a. It is said that the revenue received by the Dominion at the present time from this source is some six or seven million dollars. How do you propose to provide for that revenue?—I admit that the revenue would have to be raised in other ways; but I believe that if it came to direct taxation itself, it would be better for the people to raise that amount by direct taxation than that there should be the want and the destitution that follows as the result of that traffic.

5715a. And the same remark would apply, I suppose, to the revenues derived by the provinces and the municipalities?—Yes. If prohibition comes, the men who advocate it ought to be ready to shoulder the responsibility, and I am prepared to do that now.

5716a. In case of enactment would you deem it right that brewers and distillers should be remunerated for their plant and machinery that would be rendered useless?—No, for the reason that all laws are prohibitory laws. Every law that has been made, from the Ten Commandments down, is a prohibitory law, and affects some person or some property; and the men who have engaged in that business have engaged in it as the rest of us have done in the business in which we are engaged, taking their chances for the future.

5717a. How would you provide for the production of the liquor to be used for the exceptional purposes you have named—medicinal, mechanical and sacramental?—I believe that production should be under State management, for this reason: first, that the Government would get the profit derived from it; and secondly, that the people would get a pure article.

5718a. Have you any vine or wine industries in this section of the Province?—No.

5719a. We found some in the county of Essex: are there any nearer than that?—Yes, there is the Niagara district. We have small vineyards in our neighbourhood, where good grapes are grown.

5720a. We have learned that in the county of Essex a great many farmers now manufacture wine in their own houses for their own use. Would you carry the provisions of the prohibitory law, which you favour, so far as to prevent private manufacture of that kind?—So far as that is concerned, private manufacture of light wines would be much preferable to the present way of manufacture: but there is no question about it, that if you have a prohibitory law you will have to draw the line straight. But there

is no reason why those people could not manufacture for their own use. If we got down that far, I think we would be pretty well satisfied.

5721a. You would not hope to interfere, with that kind of manufacture?—I would not interfere with a man manufacturing what he chose for his own purpose in his own houses; but if he went outside of that and broke the prohibitory law, then he should be treated the same as any other criminal.

5722a. Would you have that law so strict as to prevent private individuals importing liquor for their own use?—Well, my theory is that the Government should manufacture what was required for the purposes I mentioned.

5723a. I mean persons importing for their own use for beverage purposes?—The trouble of that would be simply this, that you would open the road to an illicit traffic, and I would go so far as to insist in prohibiting it being imported in that way.

5724a. Do you know any country in the world in which such a law as you speak of is in force?—I do not; but I know, as a lawyer and a man, that any law could be enforced in this country if officials desire that it should be enforced—that the same enforcement of that law could be made as of any other. The criminal laws are broken, and so would this be, but no more and no less, unless the parties enforcing the law connived at its being done.

5725a. Do you think the state of public sentiment in a community for or against a law has to do with its successful enforcement?—I believe the state of public sentiment has something to do with the enforcement of any law; that is, the best sentiment of the country, and it is growing that way every day; and I believe the prohibition law could be enforced just as easily as any other law, and it would be liable to be broken just as any other law is.

5726a. Have you had any experience of the working of a prohibitory law?—The only experience I have had of the working of a law tending towards prohibition was that of the Scott Act.

5727a. What experience did you have of the working of it?—The only experience was the experience of actual observation.

5728a. In what county?—In the county of Middlesex.

5729a. How did it work?—It worked just in this way, that those who had been deprived of licenses were always crying that more liquor was sold during the time the Act was in force than when it was not. But what bothered me was that they were never satisfied with that law, and were always trying to evade it when they could. But I believe the working of that law taught the people of this country that a prohibitory law could be worked as well as any other. It was not worked as well as it might have been, but that was because local officers and magistrates forgot their oaths on some occasions.

5730a. How do you account for the fact that in the county of Middlesex the Act was carried in 1885 by a majority of 3,375, and was repealed in 1889 by a majority of 2,536?—I will account for it in this way. The city of London is so situated that you can reach it from any part of the county, and if anybody desired to obtain liquor they had simply to come to the city of London and visit a neighbouring tavern where they could get and take home with them what they wanted; so that the county of Middlesex understood that as long as the city of London was selling liquor, there would always be a divided opinion.

5731a. Did that state of things exist when the law was passed?—That state of things existed before the law was passed and existed while it was in operation.

5732a. You think the law was beneficial?—I think the Scott Act was a beneficial law.

5733a. How do you account then, for the people repealing it by so large a majority after having adopted it three years previously by an equal or greater majority?—I have accounted for it by showing you that the city of London is in the centre of the different townships that comprise the county of Middlesex, that is, it is within a few miles of any township of the county, and while the city of London could sell liquor the law could not be enforced in the same way that it could if the whole county was under the law.

5734a. What is puzzling is this, that if the beneficial effects of the Act were such as you speak of, notwithstanding London being here, why did the people repeal it?—

EMMANUEL T. ESSERY.

That can be only answered in this way : why do people on different occasions in every county sometimes stand up for a law, and then repeal it,

5735a. How about a general prohibitory law?—The same thing might happen. A general prohibitory law will never be passed until the people insist on their representatives in Parliament passing a law of that kind, and if the people choose at some future time to send representatives pledged to repeal it, that will be simply what has happened over and over again in the history of other countries as well as our own. It is as you say a puzzling and perplexing question, and the greatest question the people of this country have to meet to-day, and a good deal may be said on both sides of it.

5736a. Taking the County of Middlesex as you know it under the Scott Act and as you know it to-day, was there a better state of things then than there is now?—I believe there was a less sale of liquor, and I believe the less the sale of liquor the better the state of things.

5737a. Have you any reason to believe that the liquor that was sold in the county when the Scott Act was in force was of a poor character?—I do not think it would be, and I cannot say that it would not, because I had no experience whatever. I have never seen any of it.

5738a. We have been told that where such a law is in force malt liquors, being bulky, are not so apt to be in the hands of dealers as spirituous liquors?—Yes; but you understand that those who are opposed to any principle are always ready to make any excuse. I have heard that often, and have never believed it, and do not believe it now.

5739a. Do you believe that those who sold in the county sold ales as much as they did spirituous liquors?—I do not say what they sold because I do not know; but I believe that the effect of the passage of the Scott Act in the County of Middlesex was the suppression of the sale of liquor, and the very fact that it was re-established shows that those who were in the liquor traffic and who were suppressed in the matter of licenses, are not complaining that since the Act was repealed they are doing worse than they were before.

5740a. Did they make a complaint during the time the Act was in force?—There were always complaints made by them during the time the Act was in force—first, of the interfering with personal liberty and not being a proper law, and that as much liquor was sold, and more than before. If that was a fact, why would those men who were selling more liquor and not paying a license want to repeal it in order that there would be less sale and less profit.

5741a. At the sitting of the Commission at Brockville, Mr. Labatt and Mr. McCarthy each swore to having made larger sales during the Scott Act period, but they said the axe was always hanging over their heads because the sales were not under the protection of the law, and one of them added that oftentimes men who had bought repudiated the contract and would not pay because it had been made under the Scott Act, so that they would prefer smaller sales and run no risks?—And yet both of those gentlemen know that when the Scott Act was not in force liquor sellers repudiated contracts they had with them. There is not a brewer or distiller in Canada who does not know that there are suits in every business arising out of men repudiating accounts. That is common under any system.

5742a. Have you much poverty in the city of London?—For a city of our size, we are in a very good condition. We have some cases of poverty here, I am sorry to say, but comparing ourselves with other cities, either on this side of the line or the other, I think we stand A 1.

5743a. Taking the poverty you have as you know it, can it to any extent be traced to intemperate habits on the part of the people who are affected?—From my personal knowledge of the city of London, I regret to say that it can, and can in most cases.

5744a. Being a lawyer, I suppose you are not able to say whether those engaged in manufactures are affected to any extent by the traffic?—No, I am not able to say that from my own personal knowledge; but I do know that complaints have often been made by manufacturers of the fact that they have lost time and money by their men getting drunk, while I have never heard a complaint that any of them had lost money by their men remaining sober.

5745a. Can you suggest any amendments to the Scott Act that would make it more efficient?—The only amendment I could suggest to the Scott Act is that the Scott Act be repealed entirely, and a prohibitory law be passed instead.

5746a. In case a prohibitory law is not passed, would you leave the Scott Act as it is?—No. But I believe there is only one way by which you can restrict the liquor traffic, and that is by a prohibitory law. The Scott Act could be amended, I believe, and improved materially. The exact details I would not be prepared to give now; but I am prepared to say this, that no laws that have been passed have in my opinion been made so faulty and so leaky as laws affecting the liquor traffic, and that is not because the men who prepare them endeavour to make them so, but because the opponents of liquor laws are always prepared to cut off a bit here and a bit there, and for that reason the Government of the day are not able to make it as effective as they might.

5747a. Have you found that the license law of the Province has been improved from time to time?—Yes.

5748a. Has not every amendment made in the last few years had a tendency to make the working of the law better?—Yes, every tendency has been to make the law work better. The only question is as to its being carried out. There are taverns in the city of London where sometimes a man and his wife going to church on Sunday have to pass between a row of men standing on the outside of the sidewalk, while in other neighbourhoods there is not anything of the kind. That is the working of the law.

5749a. How do you account for that?—I account for it in this way, that there are good and bad in every trade and calling, and there are some men who defy the law no matter what trade they follow.

5750a. Are those men punished who allow men about their places on Sunday?—They are punished sometimes, but sometimes they furnish evidence that allows them to go unpunished.

5751a. Do those men get licenses year after year?—They get licenses when they want them, and some of those at whose places you will find the biggest crowd on Saturday night and Sunday are the people who are surest of getting licenses.

5752a. How do you account for that?—I account for it in this way, that there are some people who are in their favour politically, and some who are in their favour religiously, and between the two they get the license.

5753a. Is there not a mode provided in the Act of getting up petitions against the continuance of these licenses?—Yes, there is a mode provided for that, but you know the position of men who get up petitions, and what they have got to fight. They have oftentimes got to fight the authorities, simply because the authorities have got the idea that they are doing the best they can, and no doubt in a great many cases they are trying to do the best they can.

5754a. Do you find a class of people in the community who, while favourable to temperance, desire to let things run along easily and smoothly?—Yes, there are that class in every community. There are people who profess temperance principles, who are ready to go for everything at the time; but when it comes down to placing a vote in that way, they do not get up as early in the morning as when they talked about it before.

5755a. Are there any suggestions you can make?—The only suggestion I could make would be simply this, that no licenses should be issued to men who break the law or defy the law, and that the Act should be amended in such a way that those who are convicted three or four times should be deprived of their licenses for five years.

5756a. Is there not a provision about men being deprived of their licenses after three convictions?—There is such a provision; but the trouble, I find, is that the conviction is made three times or more, and that the license is issued the same as before.

5757a. Has there been a reduction in the number of licenses in this city?—There has.

5758a. To what extent?—They have been reduced, I fancy, about a half.

5759a. What is the result of that reduction?—It has been beneficial.

5760a. Did you find that the places you spoke of were cut off?—Not always. I hold that if a man has a hotel and is furnishing the travelling public with every accom-

EMMANUEL T. ESSERY.

modation, and there is a corner grocery where the sale of liquor is the most profitable part of the business, and one of them has to go, that corner grocery should go. I find that good houses in the town here, kept by very decent men, have had to go, and the corner grocery still remains. My idea is that when you start to reduce, you should concentrate among the men who keep large hotels. There is a better chance of people who want liquor getting first class liquor from a man in a big establishment than from a man who keeps a grocery on the outskirts of the town.

5761a. Would you expect better order maintained also?—Yes, because the police would have better surveillance of the place, and the man or woman who kept the place would be better than the keepers of those corner groceries, who change from year to year.

5762a. And with the travelling public staying at the hotels?—Yes. My position is not against the men. They are engaged in a lawful business, and while they are they have a right to be placed beside any one engaged in any other lawful business. It is simply the traffic I am speaking of, and the men who keep the leading hotels here are men fit to occupy any position in life.

5763a. How do you account, then, for the places that do not observe the law getting licenses, and those who do, not getting them?—While the traffic is under political control, Governments are like individuals—they have to look after themselves, and sometimes, in order to save a friend, a good man has to go down. We might as well meet it squarely, and that is my opinion.

5764a. Have you many places in the city that have not the accommodation for travellers?—Very few—I think not more than five or six.

By Mr. Clarke:

5765a. Is there any reason why these drinking saloons pure and simple should continue to be licensed?—There is no more reason why the saloon as a drinking saloon should be licensed than the corner grocery.

5766a. If it were a question whether to abolish the saloon or the hotel bar, which would you prefer abolishing?—The saloon by all means, because the hotel is a necessity, whether a license is issued in connection with it or not; and if the licenses are to be retained, they are better given to the hotels, because a man who keeps a hotel has much more invested than the man who simply keeps a drinking saloon, and he is more likely to furnish a better class of liquor. He would also be more likely to observe the law and he would be better under police surveillance.

5767a. The view has been presented that young men go to hotels ostensibly to see friends or call on travellers, but in reality to frequent the bar or the billiard room, and that they are not under the same public surveillance while there that they would be in a saloon?—That may be true: I cannot tell you whether it is or not. But I believe the hotel bars in the city of London are just as public as the saloon bars, and are run in the same way. They are not as public as they used to be, when they were within the front window, yet I believe the hotel bars of the city of London are as well kept as the hotel bars in any other place or by any other class of men. I am talking now simply from what I have seen and know. I am not in the habit of going to these places. Sometimes I go to hotels to meet friends on business. We have also saloon-keepers who are never brought up before the police court, men who obey the law.

5768a. Have you had any trouble in regard to the sale to minors?—There is some trouble here with the sale to minors wherever the corner grocery exists. The people who keep these places are endeavouring to sell all they can, and I have seen children who have purchased or carried away liquor from these places, but not to any great extent. I believe the city of London stands as well as any other city on this continent, from what I have read and heard.

5769a. Have you reason to believe there is much unlicensed sale in London?—There are places in London, as in other cities, where they do not have licenses, and where they sell.

5770a. Have the hours of sale been shortened in the city recently?—Yes, the hours of sale were shortened to ten o'clock. They were formerly eleven o'clock; then they went up to twelve, and then they were reduced to ten.

5771a. What effect has the shortening of the hours had upon the traffic?—It has had this effect, that the traffic is cut off that much earlier, and those who frequent the bars to drink have that much more time to get home than they otherwise would.

5772a. Are we to infer from your remarks about the Scott Act that it was not workable, or at any rate that it did not work?—It worked, I believe, to advantage, but it did not work to the advantage it would have done if it had been more complete than it was.

5773a. Is the view general in the county of Middlesex that the working of the Act was beneficial?—The people admit that the law was fairly successful; I believe the majority are of that opinion. There are people who would never be satisfied with the Scott Act or prohibition or any other law affecting the traffic, and these always point out that there was more liquor sold and more drunkenness, for the simple reason that where one man gets drunk during the existence of the Scott Act, he is noticed by everyone in the neighbourhood, whereas if he gets drunk when there are licenses he is not noticed so much.

5774a. I think you said that the officials were derelict in their duty in regard to enforcing the Act?—What I say is that the officials themselves are in the habit of stating that the law cannot be carried out because public opinion is against them.

5775a. In this case there was a majority in favour of the Act when it was adopted of 3,375, which was a larger one than all the votes cast against the coming into operation; so that public opinion was overwhelmingly in their favour?—I know it was; but there are constables and magistrates in the county of Middlesex who made the statement that the law could not be worked because public opinion was against it. The position I take is that if, instead of making this statement, they had simply endeavoured to enforce the law, they would have been much better engaged. If those in authority give the public to understand that they are not on the side of enforcement—and that is what it meant—then the public are more liable to take a view of opposition to the law than they otherwise would.

5776a. But if the vote that was taken on the Act is to be given any value at all, public opinion was overwhelmingly in favour of the Scott Act?—Yes, it was, and I have given you the reason why I believe the change of opinion took place afterwards. There were a lot of people who voted and worked for the Act on the first occasion, who said: “Well, the Act is better than nothing, it is better than the liquor traffic; but we supposed that the city of London was going to pass the Act too, and it has not passed it, and therefore the city of London gets the advantage of the liquor traffic and the license fees, while we get no advantage of that kind; the city of London is where the residents of the county go for marketing and other purposes, and while the sale goes on there the law cannot be enforced.”

5777a. And so they repealed the Act because the city of London did not adopt it, and because the trade went into the city of London?—I will not say that; but I do say that I have heard prominent men who I believe voted and worked for the Scott Act, say that we were getting the benefit of the trade—that our taverns and saloons were getting the benefit that their taverns lost, while their townships were not getting the share of license fund that they otherwise would get. I do not say they repealed it on that account, but that was the argument used in favour of repeal.

5778a. Was there any other argument?—Yes, there was the argument I mentioned before, that the men opposed to the Act were always pointing out that more liquor was being sold and no license fees being got for it.

5779a. That is a difficulty that would be found in the case of every prohibitory law?—Certainly.

By Judge McDonald:

5780a. Was there this feeling, that people coming to London to buy liquor would at the same time do their trading here?—Yes, that was talked of too. I am trying to give you what other people have said. For instance, men have said that the country storekeeper's business was not so prosperous because the liquor places were cut off in the villages. I am only giving you what I heard. That was the argument used. As long as

EMMANUEL T. ESSERY.

liquor can be got, there are men who will get it: natural appetite, natural craving. Then, there is a social aspect to the liquor traffic. The good old days when everybody sat around the table, and all people were hail fellows well met, have not died out yet. The younger portion of the community are against that. The older portion are giving way; but, like every other habit, that is deeply seated, it goes out only at the point of the bayonet.

5781-2a. Do you find that a wonderful improvement has taken place in the habits of the people, say in the last twenty years?—Well, I believe we are getting better all the time.

5783a. Do you find that the influence of the temperance societies and the churches have accomplished a great deal in that time?—Yes, and as wealth increases, and the country grows older, our people fall back on other things that the older people had not.

By Mr. Clarke:

5784a. Would you permit the owners of vineyards to make intoxicating wine for their own use?—No.

5785a. Would you permit farmers to brew ale for their own use?—The question was asked by His Honour if I would object to a man who had a vineyard manufacturing for his own purpose. I said I would not object to his manufacturing for his family use if he saw fit; but if he broke the law and sold to anybody else, he should be treated as any other criminal.

5786a. But still you would allow him to supply his family and himself with anything they required?—I would allow a man to supply himself with any article he required from anything he grew, provided he did not break the law.

5787a. What would you do with the man who does not grow things—would you not allow him to buy from the farmer?—What I say is simply this, that if a man chooses to use anything he grows on his own place, as long as he kept it in his own house, that would be all right. But the trouble of allowing that kind of thing is that when you make that allowance there are so many chances of breaking the law that the proper way would be not to allow any one to manufacture except the Government. There would be some trouble about allowing a farmer to manufacture. Suppose a man kept a vineyard and he were allowed to manufacture wine. We might as well say, we will do away with the license law, and let everybody manufacture where and when they please, because every man endeavours to make as much as he can out of his product, and if he went that far we would not be better off than we are to-day.

5788a. Would not that be the practical effect of prohibition, unless you prohibited people making wine and cider for their own use?—There is only one way to have prohibition, and that is to prohibit it everywhere. But you asked me if I would allow that, and I said that would be much better than to have the law as it is now, and treat every man who broke the law as you do a man who breaks any law.

5789a. I understand that you would favour every and any means that would reduce the traffic?—Yes, but I believe there is no way in which the liquor traffic can be controlled except by total prohibition, and the manufacture by the Government of the day—that would be the Government of the Dominion, I should say. But the prohibitory law would be like any other law: it would be enforced as far as it could be enforced, and it would be broken by men who break other laws.

5790a. During the Scott Act period had you professionally anything to do with prosecuting or defending cases in connection with it?—I had. I had one defence. As a general rule, men would not come to me to defend them under the Scott Act.

5791a. Was there much perjury in those Scott Act cases?—No more, I think, than there would be in any other case. No more than there is now under the license law, I think. Men get prejudices, and sometimes a man who does not intend to commit perjury really commits it, as far as he is concerned. He may make statements believing they are all right, from his ideas, and we might believe them also; but I do not believe there would be any more perjury under the Scott Act than under any other law.

5792a. I think you said it would be possible to enforce a prohibitory law?—Yes. That is, there never has yet been a law that I have heard of that has not been broken, and the prohibitory law would be broken just as our other laws are to-day. But I think

a prohibitory law could be enforced the same as any other law, if the officers in charge of the law were to do as much in its favour as they would do in favour of the other laws.

5793a. You saw the difficulties in the way of the enforcement of the law in Middlesex in consequence of the proximity of the city of London?—That did not interfere with the enforcement of the law in Middlesex. It only gave a chance to those opposed to the Scott Act in Middlesex to point out that the Scott Act was not being and could not be carried out as intended, because liquor was being sold in London.

5794a. What would be your idea, in view of the frontier extending for thousands of miles, of the probability of liquor being brought in clandestinely, unless it was prohibited by the country to the south of us?—I believe if we had a prohibitory law, there would be the same attempts to defeat it as we have had to defeat the Scott Act or the license law. I admit that there would be men ready and willing to sell liquor under prohibition as there were under the Scott Act.

By Judge McDonald :

5795a. In the enforcement of the Scott Act in the county, did you find that increased penalties were imposed on people who were convicted more than once?—There were, sometimes increased penalties imposed. From my observation and from reading the newspapers, I believe that the Scott Act enforcement was better than the License Act was before or has been since.

By Mr. Clarke :

5796a. During the Scott Act period did the custom spring up of farmers coming from the country and getting jugs of liquor to take into their homes for their own use?—I have heard that statement made, but I don't believe it. I believe that the farmer was just as abstemious, respectable and honest under the Scott Act as he was before or has been since.

5797a. You cannot tell us, then, of any place where such a prohibitory law as you advocate has been in force?—I admit frankly that I cannot give you that information. I have heard and read statements on one side and the other; but they do not alter my belief that if we had a prohibitory law we could carry it out, and I believe that any Government in power, whether Conservative or Reform, would be able to do their duty by it.

5798a. Do you know anything about the state of things in the State of Maine?—Not personally. I have had conversations with people who said that the law was broken; and I have had conversations with people who said it was carried out as well as other laws. I am only telling you what I have heard, or what books or papers would furnish me.

ROBERT HENDERSON, of London, License Inspector, on being duly sworn, deposed as follows:—

By Judge McDonald :

5799a. You reside in London?—I do.

5800a. How long have you resided here?—Since 1850.

5801a. You are Inspector of Licenses?—Yes.

5802a. How long have you held that position?—Since 1876, since the Crooks Act came in force.

5803a. Your district is just the city?—Just the city.

5804a. You have never had a prohibitory law in force in the city?—No.

5805a. How many licenses are there in the city at the present time?—Forty retail licenses.

EMMANUEL T. ESSERY.

5806a. We were told by His Worship the Mayor that within the last few years the number has been greatly reduced?—Very much reduced.

5807a. How many were they when you came into office?—I was appointed in the spring of 1876. The licenses issued in the year 1875 were: Taverns and saloons, 76; shops, 39; total 115, with a population of about 19,000.

5808a. The following year?—According to the statute, the first year we had to take off 18 and the following year I think about 16, until we reduced them down to the number provided for in the Act according to the population.

5809a. Do the forty licenses at present issued include shops?—Yes. There are 6 shops, 34 taverns and saloons, and 2 wholesale, not counting the brewers.

5810a. I see by the Ontario Government report that in 1876 you had 57 taverns, 34 shop and 1 wholesale, and in 1880 these numbers had dropped to 45 tavern, 27 shop and 2 wholesale; in 1885 there were 40 taverns, 22 shop, 1 wholesale; in 1886, 61 tavern, 21 shop, 2 wholesale?—I can start from that year and give you my figures. The number of licenses issued for the year ending 30th April, 1887, was: hotel, 56; saloon, 5; shop, 21; wholesale, 2; total, 84. The receipts, including license fees, fines, transfers, renewals, and everything connected with licenses for the year, were \$23,404.50; expenses in connection with the enforcement of the law, salaries, etc., \$1,734.20. The prosecutions before the court for the same year were 86; convictions, 56; and fines \$1,104. For the year ending 30th April, 1888, the number of licenses issued was, hotel, 50; saloon, 4; shop, 19; wholesale, 2; total, 75; receipts, \$21,467.38; expenses, \$1,771.38; prosecutions in court, 63; convictions, 44; fines, \$1,550. For the year ending 30th April, 1889, the number of licenses issued was, hotel, 53; saloon, 4; shop, 14; wholesale, 1; total, 72; receipts, \$18,933.83; expenses, \$1,293.65; prosecutions in court, 39; convictions, 23; fines, \$572. For the year ending 30th April, 1890, the number of licenses issued was, hotel, 54; saloon, 4; shop, 13; wholesale, 1; total, 72; receipts, \$18,715; expenses, \$1,374.70; prosecutions in court, 37; convictions, 10; fines, \$410. For the year ending 30th April, 1891, the number of licenses issued was, hotel, 51; saloon, 5; shop, 12; wholesale, 1; total, 69; receipts, \$19,227.76; expenses, \$1,659.94; prosecutions in court, 75; convictions, 35; fines, \$804. For the year ending 30th April, 1892, the number of licenses issued was, hotel, 34, saloon, 7; shop, 10; wholesale, none; total, 51; receipts, \$16,032.63; expenses, \$1,432.84; prosecutions in court, 36; convictions, 27; fines, \$22,482. For the year ending 30th April, 1893, the number of licenses issued was, hotel, 29; saloon, 5; shop, 6; wholesale, 3; total, 43; receipts, \$14,357.50; expenses, \$1,530.36; prosecutions in court, 30; convictions, 23; fines, \$770.

5811a. Do you believe that you have more licensed places in London now than are necessary for the requirements of the people?—I think, as we are situated now, that the number is satisfactory. For the accommodation of the travelling public, I do not think that we could reduce them much more. During the time of the Western Fair, for instance, we have not any more accommodation than is required to accommodate the crowd who are here that week.

5812a. Do you believe the men who are granted regular tavern licenses do all accommodate travellers?—Yes, they all do; I know of none at the present time that does not.

5813a. You know of none who have the equipment merely to qualify them to get the license to sell?—No, we have none of that class here now.

5814a. Had you such places formerly?—We had several formerly.

5815a. Do you consider that you could satisfactorily do away with the places that are allowed to sell, and are not required to have the accommodation?—That is, the saloon.

5816a. Yes?—I think in a city like this that it is right to have a saloon, provided it is a restaurant, where people coming off a late train can go and get a meal after the hotels are shut up. We know that after two o'clock in the day you cannot get a hot dinner at a hotel, nor can you after eight or nine at night, and I think that in this city there ought to be one or two such places where you can get a hot meal outside of these hours. We have five in this city, all of which, with the exception of one, honestly furnish meals. We have only one that is a saloon proper.

5817a. In these restaurants the sale of liquor is not permitted at later hours than at hotels?—Certainly not.

5818a. So that people can get meals there after what are called prohibited hours, but cannot get liquor?—Yes.

5819a. Have you reason to believe that these men live up to the law?—I have.

5820a. Have you had to prosecute any of them for selling after hours?—The last saloon-keeper I had up in connection with that was up two or three years ago, and the case occurred in this way: parties went there to get their meals after hours, and they happened to have some beer with their meal.

5821a. Is that a place that has been carried on any length of time?—Yes, the man has been in business forty years, an old citizen.

5822a. Are these places situated in a different part of the city from the hotels?—No, they are situated right in the centre of the city.

5823a. Near the depot?—Yes; one near the railway depot, one on Richmond Street, just opposite the City Hall, one right beside the City Hall, one at the market, and one on Dundas Street.

5824a. How do you find the Sunday and Saturday night law observed here?—The Sunday and Saturday night law has been better observed in the last two years than ever before. It has become almost impossible for me to catch a direct violation of the law.

5825a. Did you hear of the case His Worship the Mayor spoke of?—Yes, and I know very well the place His Worship alluded to. I have had reason to complain of that place myself.

5826a. You have endeavoured to stop that?—Certainly. I have been working at it a long time. It is one of these places that both the police and myself have a great deal of difficulty with.

5827a. Is it a licensed place?—Yes.

5828a. Have you called the attention of the Commissioners to it?—Yes.

5829a. How do you account for the place being permitted to get a license?—I cannot tell you how it is. The place is by itself. There are only three on the whole street. It is on Richmond street north of Dundas street. It is a place largely patronized by country people with teams.

5830a. These would not be there on Sunday?—A great many come there and put up for church on Sunday.

5831a. Are these the people who are there on Sundays?—Some of them, but not all.

5832a. Are they what you would call city loafers?—I would not like to call them that. I have no doubt that there is a not very respectable class that often frequent the place.

5833a. How about the sale of liquor to minors in the city?—There have been some prosecutions for sales to minors—children who were sent to stores for liquor; but I don't think there is a great deal of it. I have tried to stop that if possible. I always make it a point if I happen to be in any place to keep my eyes open in regard to that.

5834a. Have you any Indians about the town?—Yes, Indians come here.

5835a. Do you find that they get intoxicated?—Yes, they do.

5836a. Are you able to trace where they get their liquor?—No. I find that the majority of Indians generally give the money to white men to get liquor for them. I think most of the Indians who come here are in the habit of getting it before they come to the city. They can get it easier.

5837a. Have you reason to suppose that there is any illicit sale going on?—There is always some illicit sale in a city like this—not to any great extent at all.

5838a. By what class of people?—Little groceries.

5839a. What are called corner groceries?—Yes, you might call them corner groceries; but not to any great extent.

5840a. Are there any suggestions you could make as to the license law that would make it more efficient?—Yes. I think there should be no second fine at all for violation of the license law; it should be imprisonment; and the license should be taken away. Of course, under the present license law, where there is a third conviction the license can

ROBERT HENDERSON.

be cancelled for two years. I have never been able in this city to get a conviction that would carry out the part of that law. I find that it is a most difficult thing because you can easily understand that a man who has been fined for the first and second offences and is brought up for the third offence, will use every means in his power to defeat the ends of justice so far as the third offence is concerned. Unless it is a direct catch by myself or the police, so that we can prove it ourselves, we find it almost impossible.

5841a. In these cases for third offences do you find that there is a good deal of perjury in order to clear the accused?—Yes, I believe there is perjury.

5842a. One thing that has been suggested is that after a certain number of convictions the premises should be debarred from having a license?—I don't know about that. If the premises are good, I don't think the landlord should be deprived of his revenue on account of his tenant having violated the law. I should certainly go for the man that violates the law, and not go for the house if it is a proper house.

5843a. The question is whether you would not get the landlord enlisted with you to get the law observed?—There is no doubt that working that way it would be beneficial.

5844a. Would you suggest any amendment to the law as to the hours of closing?—According to a resolution of the Board last year, the hour of closing was fixed at ten o'clock. It used to be eleven and twelve. But they got a little advantage of that rule, because there is a difference between standard time and sun time of twenty-seven minutes.

5845a. At what hour do they open?—At five o'clock in the morning.

5846a. So that from ten o'clock at night to five o'clock in the morning on week days they are closed?—Yes.

5847a. When do they close on Saturday night?—At six o'clock. The resolution of the board of Commissioners does not allow any screens or blinds on the bar-room windows. I thought that would work very beneficially. Perhaps it does, as to the police or no seeing any person in the bar; but I find that in some places after ten o'clock they go to rooms upstairs or to the cellar—from that to eleven or twelve. That is my experience as far as I have gone this year.

By Mr. Clarke :

5848a. Is that a better arrangement than the old one of keeping open publicly till eleven o'clock?—I think from what I see this year that it has a tendency to more illicit selling after night than was the case previously.

By Judge McDonald :

5849a. You have the right of visitation at any time?—Yes.

5850a. Have you exercised that right to see if you could root these people out?—Yes.

5851a. Have you had any convictions?—Oh yes. Not long ago I had a conviction of a prominent hotel keeper for Saturday night selling. It was very high up in the building—the top story in a private room. Of course, when they take that precaution of going into the cellar or into rooms, it is immensely difficult to get at it.

5852a. What is the amount of the license fee here for a tavern?—\$260.

5853a. Do you think that might be increased with advantage to the community?—I don't know. The trade seem to grumble a good deal about that now. The license fee for a saloon is \$330, and for a shop \$230.

5854a. Do you think it would be an advantage if you had authority to cause an inspection of the liquor sold in these places?—Yes, I think so.

5855a. Do you think it would lead to a better quality of liquor being sold?—I think so.

5856a. Do you know if inspection is carried on here to any extent by the Inland Revenue Department?—I am not aware of it.

5857a. Are there any other suggestions you would like to make in regard to the working of the license law?—No, I do not think so.

5858a. Have you had any experience of the working of a prohibitory law?—No, I never had any.

5859a. Did you see anything of the working of the Scott Act in the County of Middlesex when it was in force there?—Yes, but mostly from reading.

5860a. You were not connected with the county at all?—No.

5861a. Were you out in the county when the Act was in force?—I was only out on the outskirts. Taking the East Riding of Middlesex, the Inspector of which I know very well, I don't think there was any county in Ontario, taking Halton in the last year of the Act, where it was better enforced. Of course, there were great difficulties about it. There was a great deal of perjury, there is no doubt about that.

By Mr. Clarke :

5862a. More than in the liquor cases you have had?—Oh yes, I think so.

By Judge McDonald :

5863a. Would you prefer a prohibitory law for the whole of Canada?—I would prefer it to a local option law.

5864a. Would you prefer it to the license law?—The only question with me is this: If that prohibitory law should be carried out, it would have to be carried out better than we can carry out the license law, to make it a success.

5865a. In what way?—Getting the law enforced. The trouble, I think, would be to a great extent in a place like this, and along these counties which are close to the border, with regard to smuggling from the other side. I think that is where the Government and the country would have to protect themselves more particularly under a prohibitory law in this section. Of course, it could be done.

5866a. Have you considered the question of farmers making their own wine and ale and cider?—I think it would be right to allow people to make their own wine and cider, as long as they did not sell it.

By Mr. Clarke :

5867a. Would you allow people who had not the facilities for making wine and cider to buy from somebody else?—Then you open the door to the wholesale violation of the law.

By Judge McDonald :

5868a. In case of the enactment of such a law, would you favour allowing people to import it for mechanical, medicinal and sacramental purposes?—For such purposes I agree with the Mayor that it should be manufactured by the Government. If there is any profit or loss, the Government ought to bear it, and not allow individuals to handle it at all.

5869a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—It would seem very hard to take everything a man has got, after he has been in business many years, and if they ought to be, then the question comes, are brewers and distillers better entitled to that than the keepers of hotels?

By Mr. Clarke :

5870a. Regarding the permission you would give under a prohibitory law to people to make wine and cider for their own use, how would it be practicable to work out such a system?—If you, being a farmer with a vineyard or an orchard, are permitted to make wine and cider, should not I be permitted to buy wine or cider from you, or to import it if I desire?—I think you would open the door to the abuse of the whole thing.

5871a. Would there be any abuse?—Certainly. Where would the thing end? Suppose I or you had a large vineyard and manufactured wine, and were allowed to sell it all over the country, what would be the use of a prohibitory law?

5872a. Why not prohibit those people making wine and cider for their own use?—How can you do that? Is it possible for any Government to prevent me, if I have a few grapes or some apples, from making wine or cider for my own use? The wrong would not be in my making for my own use or the use of my family, but in selling or distributing it.

ROBERT HENDERSON.

5873a. It would not be wrong for you to make it and use it yourself, but wrong to sell it?—Yes.

5874a. That is the condition you would have under prohibition as you understand it?—Yes. Not to prohibit a man making his own wine and cider, but to prohibit him selling it; or what would be the use of prohibition?

5875a. In the German settlements would you allow people to make beer for their own use?—Yes.

5876a. And would not allow them to sell it?—No.

5877a. These saloons have eating rooms in connection with them, or they supply meals, do they?—Yes.

5878a. All of them?—All except one.

5879a. Do you think they are a necessity?—I think so, in a place like this.

5880a. And I think you said the number of licenses could not be reduced without depriving the people of the accommodation required in this city at certain times?—I think, we have not too many for the kind of accommodation I spoke of. You see our whole license business is pretty well concentrated in the central business portion of the city. The same with shops; there are only two outside of the business portion of the city.

5881a. The residential part of the city is free from licenses?—Free from licenses.

By Judge McDonald :

5882a. Is there anything else you would like to add?—No.

JOHN MORGAN, of London, Acting Police Court Clerk, on being duly sworn, deposed as follows:—

By Judge McDonald :

5883a. What is your position?—Acting Police Court Clerk.

5884a. How long have you held that position?—About six weeks.

5885a. Have you any statistics for us?—I have a statement for four years, from 1890 to 1893 inclusive, showing the number of persons convicted in each year before E. Jones Parke, Esq., Police Magistrate, the number and amount of the fines inflicted, the amount collected, and so forth. For the year ending the 30th September, 1890, the number of persons convicted was 429; number of fines inflicted 418; amount of fines imposed \$1,822.25; amount of fines collected \$818.25; number of persons convicted for drunkenness 287; number of persons fined for drunkenness 129; number of persons sent to jail in default of payment of fine for drunkenness 150; number of persons convicted of drunkenness and sentence suspended 8. The persons convicted for drunkenness include those convicted for being drunk and disorderly and for drunkenness and vagrancy. For the year ending the 30th September, 1891, the number of persons convicted was 442; number of fines inflicted 286; amount of fines imposed \$1,849.85; amount of fines collected \$1,174.85; number of persons convicted of drunkenness 150; numbers of persons fined for drunkenness 73; number of persons sent to jail in default of payment of fine for drunkenness 70; number of persons convicted of drunkenness and sentence suspended 7. For the year ending the 30th September, 1892, the number of persons convicted was 353; number of fines inflicted 193, amount of fines imposed \$1,745; amount of fines collected \$1,371; number of persons convicted of drunkenness 78; number of persons fined for drunkenness 31; number of persons sent to jail in default of payment of fine for drunkenness 42; number of persons sent to jail without the option of a fine for drunkenness 1; number of persons convicted of drunkenness and sentence suspended 3; sent to the insane asylum 1. For the year ending the 30th September, 1893, the number of persons convicted was 516; number of fines inflicted, 331; amount of fines imposed \$1,627.30; amount of fine collected \$1,465.30; number of persons convicted of drunkenness 181; number of persons fined for drunk-

eness 122; number of persons sent to gaol in default of payment of fine for drunkenness 33; number of persons sent to jail without the option of a fine for drunkenness 15; number of persons convicted of drunkenness and sentence suspended 11.

5886a. Are you able to tell us whether these people convicted of drunkenness are mostly residents of the city, or do you include in that statement the people passing through?—Some are people passing through, and others are residents of the city.

5887a. What proportion do the residents bear to the whole number?—The residents of the city would be more than the outsiders.

5888a. I understand from the returns that there is a decrease in the arrests for drunkenness?—Oh yes.

5889a. Do you include in this statement people charged with breach of the snow by-law or with not having registered dogs?—No.

5890a. These are what you call offences?—All offences, including summary convictions and juvenile offenders.

5891a. But not what you would call offences against municipal ordinances?—Yes, all convictions before the Police Magistrate for anything at all.

5892a. If a man left a horse untied or anything of that kind, is that included?—Yes, everything of that kind is included.

5893a. So that the number of your offences is very small for a place of this size?—Yes, it is. I consider this a law-abiding city, in comparison with others.

5894a. Do you know anything of the license law? Does your force take part in that?—Oh yes.

5895a. You assist the Inspector when needed?—Yes.

5896a. Have you reason to believe there is much illicit sale in this city?—There is illicit selling of liquor, but it is very difficult to get at. I do not say there is much. For instance, there are certain hotels where people stand outside as though on the lookout for the police or the Inspector. There was one house spoken of this morning. People are there every Saturday night and Sunday, and they are ordered away by the police continually. I believe they are there for no other purpose than to be on the lookout for the police or the Inspector.

5897a. Has the man who keeps that place been prosecuted?—Yes.

5898a. Has he been able to clear himself or has he been convicted?—He has been convicted.

5899a. How often?—I could not say how often.

5900a. You have not yourself seen many trials in connection with the liquor law?—No.

5901a. Are there any suggestions you would make within the scope of this inquiry?—I believe that if the bar-room could be done away with, it would be very beneficial. The bar-room seems to be an harbour for young men, and in hotels where billiard tables are kept, they have access to the bar-rooms; and as far as my experience as a police officer goes—I have been a police officer for twenty years in England and Wales—I find that amongst the drinking people there is more crime.

5902a. You think a certain amount of crime can be traced to intemperate habits on the part of the people?—Yes.

5903a. Is there much juvenile crime in London?—Not very much. The crime in London is small, on the whole, in comparison with other towns.

5904a. Take the cases of boys who are guilty of criminal acts—to what do you attribute them?—I attribute them mostly to neglect on the part of parents. Boys are allowed to roam the streets and mix up with evil companions, and get into mischief.

5905a. Lack of home influence?—Yes.

5906a. Is that lack of home influence to be attributed to drinking habits on the part of parents?—Yes, in a good many cases.

5907a. It has been suggested to us by the jailer of the county jail at Woodstock that the three great causes of criminality in the order of their importance were idleness, intemperance and sensuality. Do you think that is correct?—Yes.

5908a. Is there much poverty in the city?—Not very much, so far as I know.

JOHN MORGAN.

5909a. So far as there is poverty, do you think some of those suffering from it are people who have been of intemperate habits?—Some of them, I think.

5910a. Taking your experience as a police officer, both in England and in this country, do you find that the men charged with the more serious crimes, such as burglary, forgery, and so on, are generally men of intemperate habits or otherwise?—Generally.

5911a. Are they men who drink to excess?—Some.

5912a. Do you find many among them who are total abstainers?—No, I do not.

By Mr. Clarke :

5913a. Did you hear the evidence of the License Inspector regarding the difficulties of enforcing the early closing regulation, and the schemes resorted to by hotel-keepers to evade the law?—Yes.

5914a. Do you think it would be better that the present state of things should continue, or that the taverns should be allowed to keep open till eleven o'clock as formerly?—I think it is better as it is. There are not so many young men on the streets as there were when they were closed at eleven o'clock.

5915a. So that there is a distinct improvement from the early closing?—Yes. I think there is a distinct improvement.

5916a. Notwithstanding the fact that resort is now had to the cellars and rooms up stairs?—I could not say as to that.

5917a. You spoke of billiard rooms. Would it be well to prohibit billiard rooms in places where licenses are given?—I think so. I think billiard rooms should not be attached to licensed houses at all.

5918a. Would you favour the enactment of a prohibitory law?—Well, yes.

5919a. Do you think it could be enforced at least as well as the license law?—I could not say that. It is a difficult question to answer. It would have to be decided.

5920a. You would favour the experiment being tried, at any rate?—Yes.

By Judge McDonald :

5921a. Have you had any experience of the working of a prohibitory law?—No, I have not.

5922a. Taking things as they were in England when you were there as a police officer, and taking them as you find them in this country, in which do you find the greater amount of intemperance?—I find that there is more intemperance at home than there is in this country.

5923a. How long have you lived in Canada?—About twelve years.

5924a. Have you found during that time a growing temperance sentiment among the people?—I have.

5925a. Do you know anything of the working of the Scott Act in the county of Middlesex?—No.

5926a. Suppose a law were to be passed doing away with either tavern or saloons, which would it be better to dispense with?—The saloon, I find, is the greatest curse to this country.

5927a. In what way?—The frequenting of them by young men.

5928a. Do you think these places are a temptation to them?—I do.

5929a. Do they get into loose and idle habits there, and disorderly conduct?—I think so.

5930a. The Inspector has told us that under the present regulations these places may not have screens or shades in their windows. Do you think that is an advantage?—I do.

5931a. Is there any suggestion you would like to make further than you have made?—I do not know of any.

By Mr. Clarke :

5932a. If either the hotel bar or the saloon bar had to be abolished, I understand that you would favour the abolition of the saloon bar?—I would.

ROBERT REID, of London, Collector of Customs, on being duly sworn, deposed as follows:—

By Judge McDonald:

5933a. You reside in London?—Yes.

5934a. You are Her Majesty's Collector of Customs here?—Yes.

5935a. How long have you held that position?—Sixteen years.

5936a. And during all that time you have resided in the city?—Yes.

5937a. What is the character of the people. Is it a law-abiding and orderly community?—Oh, yes, I should say so.

5938a. Have you any statistics for us?—Yes, you asked for some. I have tried to strike an average for a series of years. I give the importations of liquor, and the duty paid, for the following years, each year ending June 30:—

Years.	Gallons.	Value.	Duty paid.
1885	10,935	\$10,061	\$10,681.83
1886	6,952	5,800	6,601.10
1888	12,630	12,891	16,507.22
1893	8,564	9,556	15,048.83

The year ending the 30th June 1885 was the year after the vote on the Scott Act took place. It did not come into force until 1886, but I fancy that the falling off in the importations in that year was in anticipation of it.

5939a. Was the importation of 1885 abnormally large?—No, not at all. That is about the average. The Scott Act came into force in June, 1886, in Middlesex, so that the importations for 1888 are those of the second year of the Act. In that year there was a very considerable increase; of course, stocks had become low. Then I have given the last year.

5940a. Had there been an increase in the rate of the duty?—There was an increase in the duty in 1891 from \$1.75 on the gallon to \$2.12½ on whisky, gin, rum, and so forth. Previous to that for some years the rate on brandy had been \$2, but it was brought up with the others to \$2.12½, and they were all on that line last year. That would account for the larger amount of duty with the smaller amount of liquor. I think that statement gives a fair average.

5941a. How do you account for the increase during the time of the Scott Act?—I cannot account for it in any other way than this, that stocks had got comparatively low, and the dealers found that the Scott Act was not reducing the demand very much, and they simply imported their usual amount.

5942a. Ten counties in Ontario repealed the Act in 1888. Might that account for the increased imports in that year?—I could not say as to that. I can only speak as to our own county.

5943a. Would that affect your importations here?—No, because our importations would not reach those counties at all.

5944a. Your imports are for local consumption?—I would say so, entirely, and for the counties around here.

5945a. Have you had any experience of the workings of a prohibitory law?—No, not any at all, except by hearsay from the adjoining county.

5946a. Would you favour the enactment of a law that would prohibit the importation, manufacture and sale of intoxicating liquor for beverage purposes?—I would favour a law of that kind if I thought it could be made effectual, and that we would not be substituting something worse.

5947a. Do you think that would be the case?—I think the moral conscience of the community is not ready for such a sweeping reform.

5948a. In case such a law were passed, would you allow an exception to be made of liquor used for medicinal, mechanical and sacramental purposes?—I suppose that would be a necessity, to treat it as a drug, although some of the medical professors deny the necessity of using it even as a medicine.

ROBERT REID.

5949a. In case of the enactment of such a law, would you favour brewers and distillers being remunerated for plant and machinery that would be rendered useless?—I have not an opinion on that subject.

5950a. Do you know anything of the native wine industry going on in the western part of this Province?—I do not know anything except what is very local—personal acquaintances who are making wine in that way and distilling liquor.

5951a. Is there any suggestion you would make yourself in the line of our inquiry?—I know of this, that the present license law has been a wonderfully beneficial thing for this town, and I am perfectly satisfied that every step made in connection with it has been a step in advance, for both the moral and intellectual welfare of the people, particularly the young men. I think it cannot be too stringently enforced.

5952a. Have you found that the temperance sentiment of the community is improving all the time?—Oh certainly. There is no doubt about that.

5953a. You find that the influences of religion and temperance societies are doing good in that respect?—Oh yes; I have no hesitation in saying that. The general tendency of the public mind is in that direction, and all these movements are doing good.

By Mr. Clarke:

5954a. You do not know anything about the operation of the Scott Act in Middlesex?—No, except that friends of mine who were not strong temperance people have told me that with some drawbacks in the townships, where it had been enforced with anything like care, it had been very beneficial—that the country taverns, which had been in some cases a great trap for young people, had been closed up.

5955a. Were there any townships where it was enforced fairly well?—I think it was enforced both in Westminster and London Township very well, so far as I could learn.

5956. It is claimed that in those townships it had a beneficial effect?—Yes, it has been said so by parties who were impartial—who were not temperance people themselves.

5957a. Can you give any reasons why, if the Act had been reasonably well enforced and was so beneficial in its effects, such an overwhelming majority of the people voted for its repeal?—That is a very large question.

5958a. Can you throw any light upon it at all?—I do not think it is possible to make a partial exception of any portion of a country for that purpose.

5959a. In June, 1885, 5,745 votes were polled in favour of the Act, and 2,370 against it, a majority for the Act of 3,375. The Act was in operation three years. On the 8th of May, 1889, it was repealed on a vote of 2,992 in favour of its continuance, against 5,530 in favour of its repeal, a majority in favour of repealing the Act of 2,538. Can you give us any explanation of the reason why, if this Act was enforced and had a beneficial effect, the people overwhelmingly threw it out?—I cannot understand it myself.

5960a. Would this be a reasonable explanation, that the people were satisfied that as far as it went it was a good thing, but that if they repealed it they could demand prohibition for a wider area—for the Province, or the Dominion?—That may have influenced some. I believe there were a good many temperance people who voted in that way. And then the city of London having refused to adopt the Act, it was easy for people to get liquor here.

5961a. We have heard there was a good deal of jealousy because the traffic was licensed here, because the people in the country wanted the money to remain out there that was expended here in liquor?—Yes, there was some jealousy of that kind.

By Judge McDonald:

5962a. Do you think there was this reason, that the people had expected greater benefits from the Act?—Oh yes; there were so many ways of evading it. It was easy for them to come into the city and buy the quantities the law provided for, and really the working of the law in that way was very partial. If the city of London had been a prohibition town as well, I think the difference would have been very great.

5963a. But would they not have gone to Perth and Oxford?—Oh yes, those who wanted it would have got it somewhere; but there would have been a slight check. The Act has a certain influence in checking it.

5964a. With regard to a general prohibitory law, how would it be enforced along the border here in the event of a prohibitory law not being in force in the United States? It would be very difficult to prevent smuggling.

5965a. And what about illicit distillation in Canada?—That would be just it. I do not think they would be prevented, unless some means were used to prevent private distillation.

5966a. Would you, under a prohibitory law, permit farmers who have vineyards or orchards, to make wine or cider for their own use?—Certainly. I would not go to such extremes as to prevent that.

5967a. Would you allow them to manufacture beer for their own use?—I could not prevent them if they wanted it. I would not interfere with the individual right of any man who did not interfere with his neighbour.

5968a. Would you allow any one to import wine or beer who wanted it for his own use?—Oh, I am not a legislator.

5969a. But speaking individually?—I am not a teetotaler, but I want to see the drinking practice of this country confined to the narrowest possible limits consistent with the liberties of the people.

5970a. But you have expressed yourself as favourable to prohibition if it could be carried out?—Yes.

5971a. We want to ascertain what you mean by prohibition. Would you prohibit the importation for domestic use?—What do you mean by domestic use?

5972a. That you, as a citizen of Middlesex, could send to the United States or England, or Scotland, or France, and get wine, or whisky, or beer for your own use?—That would not be a prohibitory law at all.

5973a. You mean by prohibition, the prohibition of the importation for domestic use?—Certainly.

5974a. Do you know of any place where there is such a law in force?—No.

5975a. In the prohibition States, the importation for domestic use is not prohibited?—In the State of Maine, where the law is said to be prohibitory, it is not prohibitory.

5976a. How do you know?—I have been told.

5977a. Do you know from personal observation?—Oh, no.

By Judge McDonald :

5978a. If a partial prohibitory law was so beneficial as you said the Scott Act was, would not a general law for the whole Dominion be equally beneficial?—Oh, certainly.

By Mr. Clarke :

5979a. If carried out as the Scott Act was?—If there was a general prohibitory law, it could be carried out more effectually than the Scott Act was.

5980a. But under your prohibition, the manufacture of cider, beer and native wine for domestic use would go on?—I merely referred to the general practice of importing foreign liquor. I think we can make all we need to drink in our own country.

5981a. But you would prohibit the manufacture of wine and beer except when manufactured by persons for their own use?—Yes. But I would not interfere with the liberty of the people to manufacture for their own use. I do not know that I would interfere with a man's right in that way.

5982a. Do you think it is a man's right to manufacture liquor if he wants it for his own use?—I do.

CHARLES A. KINGSTON, of London, City Clerk, on being duly sworn, deposed as follows:—

By Judge McDonald :

5983a. You reside in London?—Yes.

5984a. How long have you resided here?—About twelve years.

5985a. You are City Clerk?—Yes.

5986a. How long have you occupied that position?—I have been in the office practically about six years. I have been City Clerk actually about three years.

5987a. As Clerk of the City Council, I suppose you can give us some idea of whether any large amount of money is paid out from year to year for charitable purposes?—The Council sets apart \$5,000 a year, which is dispensed through the Mayor and the Relief Inspector to parties making application to the Board for relief.

5988a. I suppose it is not all given in the shape of money?—Oh, no; supplies. I think the greater portion by far is food, fuel and clothing.

5989a. Is the sum found sufficient from year to year?—I think it would not exceed that on the average.

By Mr. Clarke :

5990a. Are there any charities sustained or partially sustained?—The Council pays towards the maintenance of the aged poor, who are admitted to the Home in the city a certain rate per day.

5991a. Is that in addition to the \$5,000 set apart for charity?—I am not able to state that.

By Judge McDonald :

5992a. Have you had any experience of the working of a prohibitory law?—No.

5993a. Do you know anything of the working of the Scott Act in the county of Middlesex, from personal observation?—Very little from personal observation. During its enforcement I used to be in the county frequently.

5994a. How did you find it observed?—I cannot say that it was observed very closely.

5995a. Are you, yourself, favourable to a prohibitory law for the Dominion, preventing the importation, manufacture and sale of intoxicating liquor for beverage purposes?—If it could be enforced well, I should say yes.

5996a. Do you expect it would be enforced?—I expect it would meet with very great difficulty.

5997a. In what way?—From the repugnance that many people have to allowing other people to dictate what they shall eat or drink. There are so many who resist any law of that character.

5998a. You believe that public sentiment would have something to do with the success or non-success of such a law?—Undoubtedly.

5999a. In case of the enactment of such a law, would you favour an exception being made of liquor that would be needed for medicinal, mechanical and sacramental purposes?—I think that would be necessary.

6000a. Would you have that liquor made by private enterprise or by the Government?—It is a matter I have never given any consideration to, but it seems to me that the manufacture and dispensing of liquor by the Government would be an improper power to place in the hands of a Government.

6001a. In case of the enactment of such a law, prohibiting the importation, manufacture and sale of intoxicating liquor for beverage purposes, would you deem it right that brewers and distillers should be remunerated for plant and machinery that would be rendered useless?—I should think so.

6002a. Are you brought into contact with the relief which is given to the poor, to such an extent as to be able to say whether any great proportion of the poverty is caused by intemperance?—I should say that a considerable portion of it was, probably

the greater portion. I see it in my intercourse with the Mayor in connection with the dispensing of relief. I am in his office, and see the character of the people who apply for relief and know their stories. I have no official duties in that connection, but from what I have observed, I should be inclined to think that the greater portion of the relief asked for has been rendered necessary by the excessive use of intoxicating liquor.

By Mr. Clarke :

6003a. I think you said that the opportunities you had of observing the working of the Scott Act, led you to conclude that it was not very efficiently enforced?—I should say not.

6004a. Is the present condition of things in the county, under license, preferable to the condition that existed under the Scott Act?—I hardly know how to answer that question. I have had occasion to be in the county very little since the repeal of the Scott Act. During the time the Act was in force my relatives lived there—they have since moved away—and I was very frequently in the county at that time, and it was not only drunkenness, but open sale of liquor under the Scott Act, which led me to believe that there was really no attempt made in certain places to enforce it. Since that time I have been very little in the county, and I am not able to speak of the enforcement of the license law at the present time.

6005a. And you could not make any comparison of the condition of things under the two systems?—I could not.

6006a. Would it be practicable, think you, to enforce a prohibitory law?—It might be.

6007a. Would you, under such a law, prohibit importation for domestic use?—I think, if you have a prohibitory law, you must prohibit absolutely. If you open the door to domestic use, or anything of that kind, you throw difficulties in the way of the enforcement of the law.

6008a. Would you prohibit the use, too?—I think you must do so.

6009a. Then you would not permit the manufacture of beer or cider, or wine that would intoxicate?—If it were possible to make a prohibitory law which would reach and protect the people from whom you require to keep intoxicating liquors, and allow others to obtain liquor who can use it without harm, that is what I would like to see. But if you pass a prohibitory law and want to make it effective, you must prohibit it absolutely, except for mechanical and medicinal purposes.

6010a. And put everyone on the same plane?—And put everyone on the same plane.

6011a. Do you know anything of the operation of the license law in London since the hours were shortened and the number of licenses reduced?—So far as I have seen, I have not noticed any great difference. I think there is a good deal of drinking in hotels in rooms and places free from inspection in prohibited hours.

6012a. There has been no appreciable improvement, then, from lessening the number of licenses and the reduction of the hours of sale?—I would not say that. I had reference solely to closing at ten o'clock, or 10.27. I certainly was favourable to the reduction of the number of licenses, and I think it was beneficial.

6013a. Would you favour the wiping out of the saloon license?—I would.

6014a. And the further reduction of the tavern licenses?—No.

6015a. There is no good reason why the saloon license should continue?—I do not know of any.

6016a. Since your residence in London have you noticed whether there has been an increase or decrease in the habits or drunkenness among the people?—I think there has been a decrease.

6017a. To what do you attribute that decrease?—To the moral influences and the general good sense, and probably the education of the people.

6018a. Do you think the Scott Act was an educator of the people of Middlesex in the direction of temperance?—No.

6019a. It has sometimes been presented in evidence that notwithstanding the failure or partial failure, the discussion that took place anterior to its adoption and during

CHARLES A. KINGSTON.

its continuance had an educating influence?—I do not know what effect the discussions had, but I do not think its operation had an educational effect.

6020a. You think the effect of a law being continually and continuously violated would be demoralizing rather than otherwise?—I think so.

6021a. Are there any amendments in the license law that you would suggest?—I do not know of any. Where there is a license law, I would favour it being taken entirely out of political control as far as possible.

6022a. Would you favour handing over the administration of the license law to the Police Commissioners?—I think it would be more effective.

By Judge McDonald :

6023a. Are there any suggestions you would like to make?—No.

E. JONES PARKE, of London, Police Magistrate, being duly sworn, deposed as follows :—

By Judge McDonald :

6024a. Your residence is in London?—Yes.

6025a. How long have you resided here?—Nearly all my life.

6026a. How long have you been Police Magistrate?—Over ten years.

6027a. I suppose you try a good many criminal cases that used to be tried on indictment—by the election of the prisoner?—Yes, a great many.

6028a. And you dispose of the ordinary police court cases of drunkenness, disorderly conduct, assaults and such like?—Yes.

6029a. Taking your experience of ten years as Police Magistrate, do you believe that crime is diminishing in this community?—The number of cases is smaller the last two or three years.

6030a. The Police Court clerk this morning told us that the total number of convictions in the year ending September 30, 1890, including snow by-law cases, cases for the non-registering of dogs, and similar cases, was 429?—The total number of cases would be 1,400 or 1,500.

6031a. For the same year he gave the number of persons convicted of drunkenness as 287?—That would not include the number of persons arrested for being drunk, and although guilty, discharged.

6032a. Could you give us the number of arrests?—No, I could not.

6033a. For several years there was a decrease in the number of convictions; but in the last year the number went up to 516. How do you account for that?—I have no explanation of that. I was not aware of it.

6034a. The number of persons convicted of drunkenness during the year ending September 30, 1892 was 78, and last year 181—quite a large increase?—That might be explained in a number of ways. As a rule, if a man is brought before us for being drunk on the street, and it is his first offence, he is discharged.

6035a. His record, then, has something to do with his conviction?—A great deal to do with it.

6036a. Have you been troubled last year to any great extent with strangers coming into the city?—We have always been troubled to some extent with strangers and tramps coming in.

6037a. You are, as it were, on the highway?—Yes, we are on the thoroughfare.

6038a. So that travelling tramps are likely to strike London?—Yes.

6039a. Taking the cases that come before you that may be called criminal cases—putting out of the way cases of breach of municipal by-laws such as we have spoken of—is any large proportion of them to be attributed to intemperate habits on the part of the persons charged?—The cases connected with acts of violence may frequently be traced to the use of liquor.

6040a. Of course, there are the cases of drunkenness itself, and then cases of assault, where people have been under the influence of liquor when the assault was committed—Yes.

6041a. Have you any class of small larcenies committed by people under the influence of liquor?—It is a very common excuse that they were drunk when they did it.

6042a. We have been told of cases in which a man would pick up a coat or something of that kind and sell it to get liquor?—There are cases of that kind, but not very many.

6043a. How do you find the habits of the people charged with the more serious offences, such as forgery or arson?—I cannot trace offences of that kind to the use of liquor.

6044a. Are you able to say whether the people who commit offences of that kind are addicted to drink?—There are a great many cases in which the people who commit such offences are not addicted to drink. They could not commit the offence if they were.

6045a. Have you much juvenile crime?—Not very much.

6046a. Could you say that any large proportion of the cases of juvenile crime are traceable to intemperance?—In some cases, in which the children of drunken parents are not looked after. I think that children who are not looked after are generally apt to become bad, whether the neglect is caused by intemperance or anything else.

6047a. The Police Magistrate of Windsor told us that it was a bad thing to allow so many boys to sell newspapers on the streets—that they were likely to get into bad ways. How do you find that class here?—We have had very little trouble with them.

6048a. Are the cases of infringement of the license law generally brought before you?—Yes.

6049a. Have you many such in the course of the year?—No, not many such. I have not the figures before me.

6050a. Do you find that perjury exists in those cases to any great extent?—I think it does. So far as the evidence goes, they are very difficult cases to decide.

6051a. Comparing those cases with other cases, do you find relatively a greater degree of perjury in them than in others?—I find relatively a greater amount of contradiction.

6052a. And contradiction that you cannot account for?—I cannot account for it.

6053a. To what do you attribute that?—I have not considered that point. Liquor cases are frequently brought on the information of informers, and I find that they are very often contradicted by the hotel men. The witnesses are generally frequenters of bar-rooms.

6054a. There seems to be a desire to protect the man who is charged?—Of course, he only wants people who are anxious to protect him.

6055a. Did you try any cases during the Scott Act period for offences in the county against the Act?—I never had any cases outside of the city.

6056a. Of course, you are *ex officio* a justice of the peace outside of the city?—Yes, but I confine myself entirely to the city.

6057a. Speaking as a citizen, how do you find the license law to work in this city? Are the places licensed here orderly and well conducted as a whole?—Judging from the infrequency of the complaints made to me, they are, generally.

6058a. Have you had any experience of the working of a prohibitory law?—This county was a Scott Act county for three years.

6059a. What did you find to be the result of it?—Anything I say will not be from my personal knowledge. I understood that the consumption of liquor was not materially reduced in the county. I think, however, that in country neighbourhoods the Scott Act was a benefit to the people to a considerable extent.

6060a. Do you think it had a tendency to do away with the open taverns or bars in the country?—I think that where they were abolished, it kept young people away from the country taverns and kept them at home.

6061a. You think it was a benefit in that way?—Yes, I think it was a considerable benefit.

6062a. Having had no personal connection with it, I suppose you are not in a position to explain how the repeal came about?—No. I lived in the county; my residence

E. JONES PARKE.

has only been annexed to the city within the last year or two ; but I had no personal knowledge of the way it worked in the county.

6063a. Would you favour the enactment of a prohibitory law for the whole Dominion, prohibiting the importation, manufacture and sale of intoxicating liquor for beverage purposes ?—I would favour the temperance of the whole Dominion. I am a total abstainer myself, and have been for a great many years, long before I was Police Magistrate, and if the Act could be enforced, or if there were a reasonable probability of its being enforced, I would like to see it enacted.

6064a. Do you apprehend difficulty in enforcing it?—Yes. I think it would be hard to enforce.

6065a. In case of the enactment of such a law, would you favour the exception, from its provisions of liquor, for mechanical, medicinal and sacramental purposes ?—Yes.

6066a. Would you consider it right that remuneration should be made to brewers and distillers for plant and machinery that would be rendered useless ?—I never have considered that.

6067a. Are there any suggestions you can make yourself in connection with this inquiry ?—No, I think not. Anything I know is from what I have met with in court.

6068a. Speaking of a prohibitory law, you said you would favour the temperance of the Dominion. What do you mean by that ?—I think the community would be a great deal better without any liquor at all ; and if any means can be devised to bring that about, I am in favour of it.

By Mr. Clarke :

6069a. Do you favour the present method of treating people brought before you time and again for drunkenness—committing them to gaol for ten or twenty or thirty days ? Do you think any permanent good results from that treatment ?—Not in the large majority of cases. Of course there are persons brought up for the first time who feel the disgrace of the punishment and avoid the offence afterwards ; but to others it does not seem to do any good at all.

6070a. It simply braces them up to begin again ?—It seems to put them in better condition to begin again. So far as I know, there is no means of employment in our gaols for them, or they might be made to work.

6071a. Would you favour the committal of confirmed drunkards to asylums or sanitariums for indefinite terms ?—If they could be made self-supporting ; but I think it would be a great hardship on the public if they were not.

6072a. If the persons who are now committed to the gaols for thirty or sixty days, are not employed during the time they are incarcerated, is not that a great hardship and injustice, that the public have to maintain them, especially when there is no permanent good accomplished in such cases ?—I think that is self-evident.

6073a. Would the results be better if these people were treated in sanitariums or asylums where special attention would be given to the disease or appetite itself which causes them to drink to excess ?—I could hardly speak about that. I do not know the effect of sanitary treatment on inebriates.

6074a. But you are satisfied that the present method is not satisfactory ?—I think so. I do not see any good that comes from it. It is really not a punishment to the confirmed drunkard to be put in gaol for ten or twenty days, and when they are poor men their families suffer for the want of the little labour they do for them.

6075a. Have you any suggestions to offer as to an improved method of treatment ?—I think hard labour should be part of the sentence. I think they should be made to work.

6076a. Anything else ?—No, nothing else occurs to me.

6077a. I understand you to say you favour the adoption of a prohibitory law ?—Yes, I would favour any measure that would do away with the drinking usages.

6078a. Would you permit the manufacture for domestic use of wine and beer and whisky by farmers or others who grow grapes or grain ?—That is one of the difficulties of enforcing prohibition.

6079a. Or would you prohibit other classes of the community, the urban population in cities and towns, from importing liquor for their own use ?—Well, prohibition means

entire prohibition. I think even that would be better than the present drinking evils. Of course, if all people were temperate, there would be no harm; but if that is necessary to stop it altogether—

6080a. Then you would stop the manufacture, importation and sale absolutely, except for medicinal, mechanical and sacramental purposes?—Yes.

By Judge McDonald :

6081a. Taking the cases that come before your court as a Magistrate, what proportion do you consider might be put down as the result of the liquor traffic?—I think there is only one class of cases that can be directly traced to the liquor traffic; that is, acts of violence committed by persons under the influence of liquor.

6082a. And the cases of persons convicted of drunkenness itself?—Yes.

6083a. Do you think these are the only classes of cases?—Persons reduced to want by drinking may steal, but I do not think the graver class of cases are attributable to any extent to drink.

6084a. What effect has the liquor traffic on the moral or social condition of the people, so far as your observation goes?—I have not considered that sufficiently to answer.

By Mr. Clarke :

6085a. Is there any reason why saloons which are mere drinking shops should continue to be licensed?—No, none whatever.

6086a. You would favour cutting off all saloon licenses?—All saloons that sold only liquor—I would stop them altogether.

6087a. Do you think there are too many licenses issued now in the city of London?—That is a point I am not sufficiently conversant with, to answer. Another thing, I think billiard rooms should be separated from drinking saloons.

6088a. Would you refuse to license billiard tables in places where liquors are sold?—I would.

6089a. Have you noticed any improvement, so far as the record of your court goes, since the number of licenses issued has been reduced, and the hours of sale shortened?—No, I cannot say that I have. I do not think there has been much change.

6090a. The Police Court Clerk told us that since the hours of sale were shortened, the vendors have opened places upstairs and down in the cellars, to evade the law by selling after the prohibited hours. Do you know anything about that?—I do not recollect a case of that kind this year. That has occurred in other years; hotel men would sell in other parts of their houses than the bar-rooms; but I do not recollect any this year. I would not be positive on that point.

By Judge McDonald :

6091a. Have you considered whether the traffic, as carried on, has effects on other business interests in the community?—No.

By Mr. Clarke :

6092a. The view was presented here this morning that one of the reasons the Scott Act was repealed in Middlesex was that the sale being permitted in London, people who required liquor came to town, and their trade was diverted from the local merchants to London. Have you anything to say as to that?—Nothing. The country people came to town for their liquor. That trade was, I suppose, concentrated in the town.

6093a. But I think the idea was that they did other business when they came to town for liquor?—That idea was prevalent. I think that people who came to town to buy one thing bought others.

6094a. What would you say was the effect of the suppression of the liquor business in the country districts, so far as the business interests of those districts were concerned?—I have no idea at all.

THOMAS ALEXANDER, of London, Inland Revenue Officer, on being duly sworn, deposed as follows :—

By Judge McDonald :

6095a. How long have you resided in London?—Upwards of ten years.

6096a. Have you been connected with the Inland Revenue all that time?—Yes.

6097a. You were connected with it, in Kingston, previously?—Yes. I have been twenty-three years in the service.

6098a. Have you any figures for us?—I have taken some figures from our books with reference to the only liquors we manufacture here, that is, beer, ale and porter. We do not manufacture spirits.

6099a. What is the size of your district?—It consists of Elgin, Middlesex and Lambton, including the cities in those counties.

6100a. Do the figures refer to the whole district?—Yes.

6101a. How many breweries are there in the district?—There are breweries at Sarnia, St. Thomas, one at Strathroy, and three here—two large ones and one small one.

6102a. Do these breweries make lager beer as well as ale?—Some of them do. Carling makes both, and lager beer is made in Strathroy and St. Thomas.

6103a. What figures have you?—The Scott Act was in force, I think, in the three counties about the same time. We, of course, collect the duty on the malt, and if you want to ascertain the quantity of barley used in making this malt, the malt produced is about seventy-five per cent of the grain used, so that if you add one-third to the quantity of malt, it gives the quantity of grain. I give the pounds of malt used and the gallons of malt liquors produced in the district in each fiscal year.

	Pounds of Malt.	Gallons of Malt Liquors.
1886-87	4,699,272	1,686,235
1887-88	4,735,689	1,750,783
1888-89	4,619,364	1,666,313
1889-90	4,980,184	1,787,985
1890-91	4,666,438	1,711,812
1891-92	3,894,558	1,425,620
1892-93	3,981,210	1,461,251

I may say that up to 1890 the duty on malt was one cent a pound; since that time it has been two cents a pound.

6104a. From 1886-87 to 1890-91 the quantity of malt liquor produced appears to have been very nearly the same each year?—Very nearly the same. Yet after the Scott Act period, it is very strange, the figures seem to fall off a little.

6105a. Have you any means of knowing whether the malt liquor made in those years was sent out of the district or consumed in it?—It was consumed in the district. Of course, brewers like Carling and Labatt shipped a great deal away from here to Montreal, Hamilton, Ottawa and Toronto, but with the other brewers it is mostly local consumption.

By Mr. Clarke :

6106a. Was there the same increase in the business of the breweries in the smaller places during the Scott Act period as in the case of Labatt and Carling?—I do not think it was quite as large with them. There was a certain amount of restriction about it. They had to be careful where they sent their liquor.

6107a. Was there any difference in the sales of beer in St. Thomas and Strathroy?—I think there was a little diminution, but I do not think it was of much account.

6108a. Was that due to the fact that the Scott Act was in force?—I think so.

By Judge McDonald :

6109a. Have you any statement showing the quantity of liquor taken out of bond in the same periods?—Yes. I had no time to get them farther back than in 1888.

From that time the quantities taken out of bond, and the duty paid in each fiscal year were:—

	Quantity.	Duty paid.
1887-88.....	82,931 gallons	\$107,875
1888-89.....	37,529 "	113,788
1889-90.....	81,927 "	106,505
1890-91.....	57,065 "	74,296
1891-92.....	56,149 "	84,224

6110a. The increase in the rate of duty makes the amount collected in the low years relatively larger than the amount collected in the higher years?—Yes.

By Mr. Clarke :

6111a. Is this liquor that is taken out of bond largely consumed in this district?—Oh yes, pretty much all consumed here. It is brought here from the distilleries and put into bonded warehouses, and it is delivered to the owners here on the payment of the duty, and as a rule it is consumed in these three counties. There might be some sent to Ingersoll and Woodstock, but a very small proportion I should say.

By Judge McDonald :

6112a. Did you have any opportunity of observing personally the working of the Scott Act in these three counties?—I had a little.

6113a. I suppose your duties called you about from place to place?—Yes.

6114a. How did you find it observed?—I found the law being violated, and not very strictly observed.

6115a. Have you been troubled in your district with illicit stills?—Not at all. We had one at Sarnia within six years, and we had one here. But illicit distillation is carried on to no extent here at all.

6115½a. Have you any wine making carried on in these counties?—None at all. It is done in Essex.

By Mr. Clarke :

6116a. What do you say as to the decrease of the amount of liquor taken out for consumption in 1891 and 1892 as compared with the amounts taken out in 1889 and 1890?—I think there is more of a temperance sentiment in the country.

6117a. You think that accounts for the decrease from 1889 to the present time?—Yes, that is one cause. Another cause is the increase in the costs of spirits.

6118a. Had the Scott Act anything to do with the decrease in the quantity consumed?—It does not appear to have had.

6119a. Could we come to any conclusion from these figures as to the effect the Scott Act had on the consumption of liquor during the three years it was in force?—I do not know, but probably there would be more spirits consumed under the Scott Act, for the simple reason that they are more easily concealed.

6120a. But what about the beer?—There seems to have been not very much change?—Not very much in the beer.

6121a. Would there be a larger quantity of beer sent out of the district?—Yes, they made efforts to get it introduced into counties where the Scott Act was not in vogue.

6122a. Do you think the Scott Act had an effect in decreasing the quantity of beer sold?—Yes, I think it had; but the spirits were more easily concealed in small packages.

6123a. Have you any information as to the amount of trade done in small packages during the Scott Act period?—No, I have not. They cannot take less than fifty gallons out of bond at a time; consequently I could not have much information on that point. If a merchant had a bonding warehouse, he could take it out, and then break it up into what bulk he chose.

6124a. From what experience you have had in observing the Scott Act in its operation in your district, what conclusion did you come to in regard to it as an educator of the people?—It was a failure.

THOMAS ALEXANDER.

6125a. Did it not educate the people?—I don't think so.

6126a. Do you know anything of the operation of a prohibitory law anywhere else than in these counties that were under the Scott Act?—I have no knowledge of it.

6127a. Do you know anything about adulteration?—Only what I have learned from the Department, that in all the samples of spirits that have been analysed the percentage of adulteration is little or nothing. The principal adulteration is water; but there is very little done in the way of adulteration of spirits. I am talking about whiskies. Wines and brandies, where they are made from flavouring very strong spirits, may be adulterated.

By Judge McDonald :

6128a. Have you any compounders in this district?—No licensed compounders.

6129a. If there is any compounding in this district the liquor men do it themselves?—Yes.

6130a. Have you any reason to believe that labels are used improperly in your district?—I have no knowledge of it. Of course there is a penalty against anything of that kind,

6131a. Are there any suggestions that occur to you in connection with your duties that you could make to us in the line of our inquiry?—No. Of course, I hold views in reference to a prohibitory law that differ from those of some others.

By Mr. Clarke :

6132a. What are your views regarding the entire prohibition of the traffic?—I do not think it could be successfully enforced on account of the easy method that can be resorted to for making spirits. Spirits are very easily manufactured and that might cause a great deal of trouble to enforce the law, and at the same time be very injurious to the people morally on account of the illicit manufacture.

6133a. What is your explanation of the repeal of the Scott Act in the counties where it had been in force three years?—I think the people were impressed with the idea that it was better to have the traffic placed under a proper license law and under proper regulation than in a disorganized condition, selling liquor on the sly.

6134a. They thought it was better to have the trade restricted and under surveillance?—Yes, and under proper supervision. My idea is to have a good high license fee and a good law well administered, and a restriction doing away with saloons entirely. I would not have a saloon in the place at all.

6135a. You would confine the licenses to hotels and taverns?—Yes, and make it compulsory to teach the principles of temperance in the public schools.

6136a. But we would be teaching with one hand, avoiding the teaching with the other by licensing, wouldn't we?—Yes, but they would then know themselves, and take their own course.

6137a. Would you favour taking away the license after the second or third conviction?—Yes. I would not grant a license after the third conviction.

6138a. It has been suggested in some places that it would be a salutary provision to deprive the premises of a license in the event of the licensee being convicted three times?—That is a very difficult thing to do. I have not considered it.

6139a. It was thought it might result in the owner of the property aiding the authorities in enforcing the observance of the liquor law by his tenants?—I would not like to express an opinion on that.

6140a. Are there too many licensed places in this city at present, for the legitimate business requirements of the city, apart from the saloons?—As far as the hotels are concerned, I don't think there are; but, as I said before, I would not be in favour of granting saloon licenses.

JOHN GARVEY, of London, Liquor Merchant, on being duly sworn, deposed as follows :

By Judge McDonald :

6141a. Where do you reside ?—In London.

6142a. What is your occupation or calling ?—I am a liquor merchant. I have been a grocer and liquor merchant.

6143a. How long have you resided in London ?—Seven years and a-half.

6144a. Have you given up the grocery business ?—I have turned it over to my son.

6145a. And you conduct the liquor business yourself ?—Yes.

6146a. You have a shop license ?—Yes, since I have been here. I have been in the business twenty-four years. I have been engaged in the liquor traffic twenty-nine years.

6147a. Then you have been in that business ever since you have been in London ?—Yes.

6148a. Is your sale of liquor confined to London, or do you sell to other places ?—We sell to other places.

6149a. Your license does not limit you as to that : you sell above three half pints ?—Three half pints up to any quantity.

6150a. You sell to persons in the trade in the city of London ?—Yes, and also outside of the city.

6151a. Were you engaged in the traffic when the Scott Act was in force in the county of Middlesex ?—Yes.

6152a. And before ?—And before.

6153a. And since ?—And since.

6154a. Can you tell us how your sales were before the Scott Act was in force in Middlesex, during the time and since ?—I came here the year before the Scott Act came into force in the county, and I was only working up that trade. We did a larger trade since that than we did previously ; but it might be accounted for by working up the trade.

6155a. How was it during the Scott Act ?—We did a large trade during Scott Act times—made more money than we did since.

6156a. Did you sell more during the time of the Scott Act ?—No.

6157a. How did you make more money ?—We got better prices. It was shipped from here.

6158a. Would local dealers send to you for it, or would private individuals get it for their own use ?—It was shipped to various counties all around here, besides Middlesex.

6159a. Other counties under the Scott Act ?—Yes.

6160a. Was liquor shipped from here at all for private use to other counties ?—Oh yes.

6161a. What sized packages would be shipped in those cases ?—About five gallons was the largest.

6162a. Would the orders come through the post office ?—Yes, principally. Of course, sometimes ten gallons was shipped, but five was the usual thing.

6163a. Would it be sent to people by express ?—By express.

6164a. Did many people from these counties come to London to buy ?—Yes, a good many of them did.

6165a. From the adjacent country here ?—Yes.

6166a. It was stated to-day that people who came into the city to buy liquor would also buy other goods, that perhaps, but for that, they would have bought at home ?—I could not say there was much in that, not being in any traffic but our own. The great bulk of my trade is not done from here at all—it is done from the distillery. We take the orders, and ship from the distillery direct.

JOHN GARVEY.

6167a. How did you do in those cases?—There was more sold from here during the time of the Scott Act, than there is at the present time. That is accounted for by not shipping so much from the distillery.

6168a. Was much sold to hotel people during the time the Scott Act was in force?—Yes, there was.

6169a. Was any shipped to men who had not been in the liquor trade before the law came in force—men who just then opened up a liquor business?—Yes, there was.

6170a. Do you also deal in ales?—Yes.

6171a. Did you ship much ale?—No, we do not ship any in wood. There was a large bottled trade done.

6172a. Any more than for private consumption?—I could not say there was more than usual.

6173a. As a man engaged in the traffic, what do you say as to the working of the license law in the city? Are the restrictions placed on the traffic under the license law in your opinion fair?—Generally so, with few exceptions.

6174a. What are the exceptions?—Of course, I am only expressing an opinion. I do not think it is any great benefit to close up public houses too early in the evening—hotels.

6175a. We are told that in this city they are closed at 10.26?—Yes.

6176a. Why can there be any necessity for places being open after that?—Because trains come in between ten and eleven o'clock, and the places should be open.

6177a. What about the trains that come in between eleven and twelve?—Very few come in then.

6178a. If the railroads were to change the time of their trains so that they would come in then, would you favour keeping open for them?—No, I would not.

6179a. Where would you draw the line?—At eleven o'clock.

6180a. Would that be fair to the customer that arrives afterwards?—I think if he is a guest at a hotel and takes a room, he should get it.

6181a. Of course, a law is made for the Province?—This is the first season we have had them closed up before twelve o'clock. I do not think it is any benefit, but it is a great detriment to the man who is at a large expense in keeping up his hotel.

6182a. It has been stated here by an official that although the law says they must close at ten o'clock, the law is evaded by their having sales in upper rooms and cellars?—I do not know about that. I always understood that if a guest came to a house and took a room, he could have liquor sent there.

6183a. So far as you know, the law as to closing at 10.27 is observed?—Yes.

6184a. What is the expense to the proprietor that you speak of?—The expense of running a large hotel is enormous.

By Mr. Clarke :

6185a. Is not the expense lessened by closing at ten o'clock?—In what way?

6186a. The gas is saved?—The gas is nothing. There is a large staff for the hotel. The Tecumseh House has thirty-three hands.

6187a. It does not take thirty-three to run the bar?—I am not talking about the bar, but the whole staff of the hotel. I think there is no hotel in this country that can run without a bar. If you try to do that, you will have to increase the rates to double what they are now. Instead of charging \$2.50 a day you would have to charge \$5.

6188a. Is the bar worth \$2.50 for each guest of the hotel?—I do not say that, but with the immense cost of running a hotel, it would not pay at present rates without a bar.

6189a. So that a person stopping at a hotel gets his accommodation for less than cost?—If a man goes to a hotel and only pays twenty-five cents for his dinner, the hotel is better off without him, so far as making anything is concerned.

6190a. Are there any amendments you would advocate in the provisions of the license law?—I think the license law is better than no law, as we had under the Scott Act. I had experience of the Dunkin Act in Peterborough before I came here.

6191a. How did it work?—It was an utter failure.

6192a. Are you in favour of the Scott Act, or did you aid in its repeal?—I voted for the repeal, and I voted against it when it was put before the county.

By Judge McDonald :

6193a. If you found it beneficial to your business, on what grounds did you do that?—I did it on principle, because I do not believe in laws of that kind.

6194a. You are willing to sacrifice the benefit you yourself get for the sake of the public good?—I do not believe in a prohibitory law that tells a man what he must eat and drink.

6195a. In your business do you get any sale for native wines?—Yes.

6196a. Is it increasing?—Yes, largely.

6197a. Are those wines a wholesome drink?—I think they are; that is, in limited quantity.

By Mr. Clarke :

6198a. They are intoxicants?—To a certain degree.

WILLIAM BELL, of London, Relief Officer, on being duly sworn, deposed as follows :—

By Judge McDonald :

6199a. You reside in London?—Yes.

6200a. And you are the Relief Officer for the city?—Yes.

6201a. How long have you resided in London?—Twenty-seven years.

6202a. How long have you been Relief Officer?—Eleven years, come April.

6203a. What are your duties as Relief Officer?—To investigate and see that the proper persons get relief.

6204a. In cases where application is made for relief, owing to poverty, you look into each case and see if it is deserving, and the best kind of relief to be given?—Yes, and report to the Mayor.

6205a. In making these investigations, are you led to believe that any large proportion of the poverty of this city is to be attributed to intemperate habits on the part of the people receiving relief or those connected with them?—Yes, part of it is. Out of one hundred and forty-three cases of relief last winter forty were caused by drink. Of course, we have a lot of old people, widows and orphans who are not addicted to drink.

6206a. In the case of the widows and orphans you speak of, were you able to trace back and see whether their poverty was caused by intemperance on the part of the husbands or brothers?—Some of them were, but I did not trace that back.

6207a. You did not investigate that?—No, I did not.

6208a. Do you find much poverty in the city?—There is not much now. I took these cases in the depth of winter.

6209a. We have been told that \$5,000 is voted by the City Council for charitable purposes?—Yes, but a part of that goes to the homes—the Aged Men's Home, the House of Refuge and others.

6210a. Have you anything to do with those?—Yes, I have looked after some of those.

6211a. Have you found that many of those have been brought there through intemperance?—Yes, some of them have. We have some pensioners and all sorts there.

6212a. Have you had any experience of the working of a prohibitory law?—No, I have had nothing to do with it.

6213a. Do you favour the enactment of such a law, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—I have not given that a thought.

6214a. In making your visits among the homes of these people, do you see much intemperance?—We have seen some.

JOHN GARVEY.

6215a. Apart from those whose want is caused by intemperance, do you find drinking going on in the houses to any extent?—Well, not much in the houses. Sometimes we catch them sending for it.

6216a. These very people?—Yes.

6217a. Have you reason to believe that the relief you give in the way of food or goods is ever used for the purpose of obtaining liquor?—No, I think not. We are very cautious about that. Of course, a good many get wood, groceries, bread, oatmeal and such things.

6218a. During the time you have known this section of the country, have you found an improvement among the people in sobriety and temperance?—I think there is a decided improvement.

6219a. Had you any experience of the working of the Scott Act in the County of Middlesex?—No.

6220a. Do you make inquiry at all as to persons who are committed to gaol?—I have a record of all these people. Of course I generally know who go to gaol.

6221a. Are some of these included in that forty?—Yes.

6222a. Have you ever considered whether in the case of persons convicted of drunkenness repeatedly, and sent to gaol for short terms, it would not be better to sentence them for longer terms to some place where reformatory influences would be brought to bear on them?—Some of them I would send and not let out again.

6223a. Some of them you would send until they were reformed?—Yes.

6224a.—In doing that, you would get rid of their intemperance?—Yes.

6225a. Would you favour a law that would prevent the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I have not given that a thought. I am not a temperance man myself. I am very near it. I can take a glass myself or leave it alone. That is my idea.

6226a. Are there any suggestions you would make yourself in regard to this question?—No.

JOHN LABATT, of London, brewer, having been duly sworn, deposed as follows :—

By Judge McDonald :

6227a. You reside in London?—Yes.

6228a. And you are engaged in the brewing and malting business?—Yes.

6229a. How long have you lived in London?—Since 1847 except for five years, when I was away in the States.

6230a. How long have you been engaged in the brewing and malting business?—About thirty-eight years.

6231a. All the time in London?—No. Five years away from London. Four years in Virginia, and one year in Prescott.

6232a. In Prescott, I suppose, you had to do with the brewery now carried on by Mr. George Labatt?—Yes, I was the first there.

6233a. In case of the enactment of a law prohibiting the manufacture of malt liquors, would injury be inflicted upon you in the way of loss of machinery and plant?—I think my premises would not be worth anything scarcely. They are not suitable for anything else, in the way they are constructed.

6234a. Do the statute or departmental regulations require you to have certain fittings in carrying on the brewing business?—Yes.

By Mr. Clarke :

6235a. Whether the departmental regulations required you to have them or not, as a matter of fact, to carry on your business you must have them?—Oh, yes.

By Judge McDonald :

6236a. Your business was, of course, carried on in London at the time the Scott Act was in force, did you find the manufacture of malt liquors decrease?—No. I made more money during the Scott Act time than I ever did since or before.

6237a. How do you account for that?—I don't know, but such is the fact.

By Mr. Clarke :

6238a. Was that from sales in those counties where the Scott Act was in force?—I don't know where the sales were made, but we made more money.

6239a. Were there sales made in the counties where the Scott Act was in force?—Oh, yes.

6240a. Were there any special reasons, in the way of duties or anything else, why the sales should have been more profitable during those years?—I think one reason was that we changed the business considerably from draft ale to bottled, and the sales did not fall off.

6241a. The bottled ale is more profitable than the draft ale?—Yes, something more.

By Judge McDonald :

6242a. To what do you attribute the increase in the bottled trade?—I think a good many of the customers thought they could not get draft ale in barrels, and they got the bottled ale.

6243a. Were packages with bottles in them sent out to any extent to those outer counties?—Not direct by us; but I have a pretty good idea there were.

6244a. There was an intermediary between you and those people?—Oh, yes, there always has been, whether the Scott Act is in force or not. We sell through agents all over the country.

6245a. Mr. George Labatt is a brother of yours?—Yes.

6246a. He told us that his sales had increased very much during the Scott Act period, but he attributed it to the fact that people near by who had not previously dealt with him preferred to buy in small quantities rather than order the large quantities they had been accustomed to do from western dealers, as they did not wish to run the risk of having too large a stock on hand in case of seizures. Would that account for your business increasing?—Our business did not seem to fall off during the time of the Scott Act. It went on about the same.

6247-8a. Can you give us a statement of your output for the three years immediately preceding the Scott Act period, the three years when it was in force, and the three years subsequent?—I will do so.

6249a. Did you see anything yourself of the operation of the Scott Act in the counties?—No; I don't travel out much from the brewery. But I always found, if I was in a Scott Act county and wanted a glass of ale, I could get it without any trouble.

6250a. How many men do you employ?—About fifty, men and boys.

6251a. Are these men and boys of sober habits?—Yes, there is not an unsteady man about the brewery.

6252a. You do not find, then, that working in the business has the effect of producing intemperate habits?—No.

6253a. Were you, yourself, a supporter of the Scott Act?—No.

6254a. Did you favour its repeal?—Yes.

6255a. For what reason?—I thought it was a big humbug. I thought it did more harm than good.

By Mr. Clarke :

6256a. But you were making more money under it?—We did, but I would rather do business in a legitimate, straightforward way under a proper license law.

By Judge McDonald :

6257a. Did you have any difficulty during the Scott Act period from people who were supplied with ales repudiating payment, on the ground that they lived in a Scott

JOHN LABATT.

Act county?—Some of them. We do not deal direct with those people. If anyone came to buy ales from us, I did not care whether it was from a Scott Act county or not, I would sell it.

6258a. As a general thing the payment would be made at the time?—Yes.

By Mr. Clarke :

6259a. The evidence you have given, and the returns from the Inland Revenue Department, show that there was not a decrease in the consumption during the time of the Scott Act?—There was not a decrease in my business.

6260a. How, then, do you account for the trade being opposed to the Act?—Because their business was in confusion and upset.

6261a. If the Scott Act had been allowed to remain in force, would not business have gone on the same as before?—I suppose it would.

6262a. How was it that the trade used every effort to get the Act repealed?—Just from what I say. It was a constant state of worry. If you sold to those people, you could not legally collect from them, and it was harrasing all the time. I would rather make less money and have the business legal, than have all that worry.

6263a. Do you know anything of the native wine industry?—No.

6264a. You have not been brought into contact with it at all?—No.

WILLIAM BOWMAN, of London, manufacturer, on being duly sworn, deposed as follows :—

By Judge McDonald :

6265a. Your residence is the city of London?—Yes.

6266a. What is your business, occupation or calling?—I am a coal and wood dealer, also a manufacturer of chemicals and other matters.

6267a. You have been an alderman of the city?—Yes.

6268a. How long have you been an alderman?—I was in one year, and was chairman of number one committee.

6269a. How long have you lived in the city?—Thirty-seven years.

6270a. What ward did you represent?—Number three.

6271a. During your residence of so many years in the city, have you noticed an increase of temperance sentiment?—I have, largely.

6272a. And an improvement in the habits of the people as to sobriety?—Correspondingly.

6273a. Have you had any experience of the workings of a prohibitory law?—I took an active part in the Scott Act contest in the county of Middlesex, and I saw something approaching a prohibitory law in England, on the property of the Earl of Derby in Liverpool, where is a district nearly three-quarters of a mile square, there is not a place for the sale of liquor allowed.

6274a. What was the result—good order?—Yes, good order. There is not a policeman required in the district.

6275a. What class of people live there?—A good class of people. It borders on a park.

6276a. Did you, yourself, see the working of the Scott Act in the county of Middlesex?—I saw it in the east end.

6277a. How did it work?—It worked well there, because we had a good Inspector, a man who did his duty. But it was very different in the neighbouring county of Elgin.

6278a. Were you there much?—I was there considerably.

6279a. Did you see much drinking there?—I saw teams loaded with liquor, and the smell of liquor coming out of the best hotels, was so strong you could smell it for half a mile.

6280a. Did you see many drunken people?—Yes, a good many.

- 6281a. More than under license?—Oh, I don't know.
- 6282a. You would not know a prohibitory law was in force in that county?—No. Only I saw that the liquor on drays was covered.
- 6283a. In East Middlesex you saw a more satisfactory state of things?—Yes.
- 6284a. Is it your opinion that the Scott Act was a benefit in that riding?—Yes, that is my opinion.
- 6285a. Do you know anything of the other ridings?—No, I do not. I did not visit them.
- 6286a. To what do you attribute the repeal of the Scott Act in Middlesex?—I attribute it to this: A great many men did not realize that there was an old craving until they got the Scott Act, and then they went back on their record.
- 6287a. East Middlesex is near London?—Yes, it borders on London.
- 6288a. Were you told that these men could get liquor in London?—Yes, that was the trouble.
- 6289a. When they could get liquor so near at hand, why would they want to repeal the Scott Act?—Because they wanted to get it without so much trouble.
- 6290a. How do you find matters since the Scott Act was repealed?—I don't see much difference.
- 6291a. Are the people orderly and law-abiding?—I think so.
- 6292a. Do you think the Scott Act had a good effect in that respect?—I think it had, on the young people coming up. Those who did not get into the habit of going to London remained sober afterwards.
- 6293a. Did you call attention to the neglect of duty on the part of the Inspector in Elgin?—It was called attention to time and again, but it was of no use. The thing was so flagrant that everybody noticed it.
- 6294a. Did it remain that way to the end?—Yes.
- 6295a. And the Act was repealed there too?—Yes.
- 6296a. I suppose you employ labour?—I do.
- 6297a. How many men do you employ?—Between our two concerns, forty or fifty men.
- 6298a. Do you find that your business is injuriously affected by the liquor traffic?—We would not have a man that drinks, on the premises.
- 6299a. Do you require your men to be total abstainers?—No, but they must not drink to affect their capacity.
- 6300a. Have you suffered very much in your business from drinking?—Very little.
- 6301a. Is your business one in which one man is affected by another, or does each work independently on his own line?—No, each works on his own line.
- 6302a. Are you yourself favourable to prohibition?—I am.
- 6303a. Would you favour the enactment of a prohibitory law for the whole Dominion?—Yes.
- 6304a. Preventing the importation, manufacture and sale of intoxicating liquors for beverage purposes?—Yes, for any purpose.
- 6305a. Would you not allow it for mechanical, medicinal and sacramental purposes?—I would not have it for sacramental purposes, but for medicinal purposes it might be allowable.
- 6306a. During the time of the Scott Act was there much trouble with doctors' prescriptions?—Very little.
- 6307a. In case of the enactment of such a prohibitory law as you have spoken of, would you favour the compensation of brewers and distillers for their plant and machinery that would be rendered useless?—That is a complicated question. Looking at it from the standpoint of business, I would say they ought to be compensated; but looking at it from another standpoint, they knew the nature of the business, and that it is only from year to year; they know full well the effects of the traffic on the public; and if a man is engaged in business of that sort, in which he makes thirty or forty thousand dollars a year, I think his plant ought to be sacrificed.
- 6308a. Can you fairly say that a brewer's or a distiller's business is from year to year?—Yes. He gets his license from year to year.

WILLIAM BOWMAN.

6309a. Is it not assured to him as long as he pays his license and complies with the requirements of the law? For instance, the Government requires him to keep liquor two years before he sells it?—They take their risk. Walker a few years ago was worth nothing; now he is a millionaire, and he got it all out of the public. A year or two ago the Carling Company made application to the City Council for a reduction of their license, on the ground of the loss they had suffered on account of the operation of the Scott Act.

6310a. Did the Council grant the application?—Not to my knowledge.

6311a. In case of the enactment of such a law, how do you propose to make good the revenue which the Dominion, the Provinces and the municipalities would lose in consequence of it? For instance, the Dominion revenue from the liquor traffic is now between six and seven million dollars?—I say that the people pay that through a circuitous channel by ruining their health. They might as well pay it in another way and save their health.

6312a. What other way would you suggest?—I would leave that to the law makers.

6313a. The law makers want to get your views?—They might tax the people to pay that.

6314a. In other words, you would be willing to have direct taxation to make up the loss of revenue?—Certainly I would.

6315a. And the same for the Provinces and municipalities?—The same there. I would say that the community had better pay it directly than through the circuitous channel.

6316a. Do you notice much drunkenness in London?—London has very much improved, but you cannot go down our streets at night without seeing that a large number of young men are on the road to be ruined by going to the taverns at night. If I saw a young man in my employment coming out of a tavern at ten o'clock at night, that would be the end of his employment by me.

6317a. Even though he might be sober?—Yes, because I would see that he was associated with those who would lead him on the road of ruin.

6318a. You surely would not go to the length of dismissing him for that. You mean to say that you would be observant of him?—I would be doubtful of him. I would not dismiss him, perhaps, but my confidence in him would be gone.

6319a. Do you think the closing of bars at ten o'clock instead of eleven has been a benefit?—I do.

6320a. Would you make the hour of closing still earlier?—Yes.

6321a. Would you make it seven o'clock as on Saturday night?—Yes.

6322a. Do you notice whether the licensees do observe the Saturday night and Sunday law?—There have been one or two parties fined of late.

6323a. Do you think there has been an improvement in that respect?—Yes. I have had to do with the youth of the city for the last twenty or thirty years as a superintendent of a Sabbath school, and I have seen a good many of the effects of drink.

6324a. You favour prohibition from the idea that it will produce temperance habits among the people. That is my idea.

6325a. Have you reason to believe that much unlicensed sale goes on in the city?—I do not think there is much. I think our first-class Inspector looks after the matter pretty well.

6326a. If you are to have a license law, you think it is as well administered in London as anywhere?—I do.

6327a. Do you know anything of the native wine industry?—I do not.

6328a. In the event of the enactment of a prohibitory law, would you prevent men making wine, for their own use, from grapes grown by themselves?—If it was for their own use, I would not interfere with them.

6329a. Or his own cider from his own apples?—I would not prevent that.

6330a. Are there any suggestions you would make yourself, based on your own experience, either as to the license law or prohibition?—We have not had much experience of prohibition, but we have had experience of the License Law, and I think matters could not be made worse, and I think prohibition is the coming law for our land and all civilized society.

6331a. Do you know any country in which such a law is in force?—I do not, because this drinking habit has existed from time immemorial. When I was a boy it was thought that a man was no man at all if he did not drink: but churches and temperance institutions, and our medical faculty, have tended to dissipate a large amount of ignorance on the subject.

6332a. All along the line you think there has been an improvement in that respect?—Yes.

6333a. In case you did not get total prohibition, or even prohibition in a limited sense, you would favour a license law rather than the unrestricted sale of liquor, I suppose?—It is a question that is rather doubtful. As a Christian man, I object to receiving money from such a source.

6334a. You object to the licensing of the traffic?—Yes, on principle.

6335a. You look on it as an evil?—Yes.

6336a. As a member of the community you find that if there is a license granted by that community you are indirectly connected with it, whereas if there is free sale, you are not responsible for that?—Yes.

By Judge McDonald:

6337a. As between the two, which would you prefer, free sale or license?—There are two views to take of it. In one case you might restrict it so much as to make it appear respectable; in the other case it would become so disgraceful that it would be its own cure.

6338a. In regard to the license law, you only favour its restrictive features?—Yes.

6339a. In regard to the saloons?—I would wipe them out altogether.

6340a. License or no license?—Yes.

6341a. You think they are more injurious than the hotels?—Oh, ten to one.

6342a. With regard to the treatment of drunkards: they are now sentenced to jail for a term of ten, twenty, thirty or sixty days. Have you considered whether that treatment is good in its effect or not?—I know that they come out better men physically than they went in; but as soon as they come out, there is the sign of the liquor shop again, and off they go. They are not there long enough.

6343a. You would approve of sending a man down for a longer period?—I would. I would send him down long enough to get cured of the appetite. The present system is a farce. It does not work a cure.

6344a. Would you favour special establishments for these people and making them work?—That is, making them work for a living, and put them under special treatment.

6345a. Are there any suggestions you would make?—Only that the best security is not to let them have it at all.

6346a. In the State of Maine the importation of liquor for private use is not prohibited. Would you favour prohibition of that kind?—I would prohibit anything being imported except for medicinal and mechanical uses.

6347a. Would you also prohibit the manufacture by people for their own use?—If you could restrict them to that, I would not prevent it; but it is such a dishonourable business that—

6348a. It would not be dishonourable for a person to make wine for his own use from grapes?—So far as that is concerned, I would not interfere.

6349a. But you would not allow him to sell?—No, not without a medical prescription.

6350a. Have you ever thought that illicit distillation would spring up as the result of prohibition?—I do not think it. I think the temperance sentiment has got such a good hold on the country that it would not be tolerated.

6351a. That people would not manufacture for their own use?—I do not think they would attempt it. At any rate, the evil arising from it could not be considered against the good that would be accomplished. There are certain difficulties that would be about the pathway, and I suppose always will be.

6352a. Have you ever been in Maine?—I was in Boston a good many years ago, when prohibition was carried there.

6353a. How was it carried out there?—I put up at one of the best hotels in Boston, in which, off one of the passages, there was a nicely furnished room where a guest could

WILLIAM BOWMAN.

help himself to anything he required, and they would depend on his honour to pay for it when he settled his bill. That was thirty or forty years ago.

6354a. Was that a better plan than license?—There is no better to it at all. I think that would cure itself. If an Inspector did his duty he would cure it. It was evident they were ashamed of the business, and anything a man got there he got on the sly.

6355a. Have you been in Maine since the law came into force there?—I have not.

By Judge McDonald :

6356a. Have you had any experience as a manager of a railroad?—I have.

6357a. What railroad?—I was mechanical superintendent on the Great Western when it was first opened, and I was for seventeen years Engineer and Superintendent of the Port Stanley Railway.

6358a. On those railroads had you stringent rules with regard to men who drank?—I would not allow them to drink at all.

6359a. Had you any difficulty in carrying that out?—No. If I found a man to be a drinking man, there was the end of his services, and if I found a man once under the influence of liquor, I warned him that if it occurred again he would be dismissed.

6360a. Had you any accidents from the use of liquor?—No, but on one occasion the engineer was so drunk that the fireman had to take his engine into Port Stanley. The men have a sort of freemasonry among themselves which keeps them from telling such things, but I found that out afterwards. Alongside of my establishment near the Grand Trunk Railway there is a tavern, and I have seen twenty or thirty railway men going there in a day to drink.

6361a. Do you know whether there is a restaurant at the station?—Yes, but I think the employees are not allowed to buy there; but the taverns are so close to them that there is no restriction.

6362a. Did you notice on the railroads whether the passengers carried liquor in flasks?—Not much in that respect.

6363a. I suppose that altogether there is far less drinking than there used to be?—Oh, yes.

6364a. Is there any further suggestion you would make yourself?—No, I think not.

THOMAS W. CASEY, recalled, submitted the following supplementary statement:—

In regard to the workings of the license system, I think it is generally conceded that the system has been universally a failure, so far as preventing the evils of drunkenness. It has been honestly tried in England for centuries, and to-day, in spite of it, the evil of drunkenness is the most formidable of all the evils of the country.

It has been tried in Canada ever since we have had laws of our own at all, and the very fact of a Government Commission like this gives good indication how unsatisfactory its workings have been. I do not think we need look for any much more effectual regulation and restraint of the liquor traffic under any license laws than those now in force in Ontario. The law is very stringent, and the provisions for its enforcement, much as they have been abused in many districts, seem better than those in any of the other Provinces. As a matter of fact, the law was not nearly as well enforced under the old system of municipal control as it now is, and it would be a retrograde step to go back again to a system of municipal control.

To show that not so much change for the better need be expected under the present license system, of itself, I think that the following facts are illustrative: The present Ontario License Act went into force in 1870, and at once the tavern licenses in the Province was reduced from 4,459 to 2,977, showing a decrease of 1,482 in the change from municipal to Provincial control. In 1877, there were but 2,845 tavern licenses issued in the Province, and until 1883, the license law was not interfered with to any considerable extent by the Scott Act. There was not any such gradual falling off in

the number of tavern licenses during that time, however, as many expected there would be. On the contrary, the number increased from 2,845 in 1877, to 3,363 in that seven years, or nearly 20 per cent. At the same time the number of commitments to the county jails for drunkenness increased from 3,363 in 1876, to 4,897 in 1883, or over 25 per cent. I have never seen anything to convince me but that both these classes of figures would have gone on increasing had the license law been left undisturbed.

In 1883 the Scott Act began to be adopted in the counties of this Province, and in 1886 it came pretty generally into force. The number of tavern licenses then went down to 1,567, and the next year to 1,496. The number of commitments to jails for drunkenness went down to 3,696 in 1885, and 3,555 in 1886, being a reduction of considerably over 25 per cent. I know of no reasons whatever for these reductions but the adoption of the Scott Act.

The Dominion Inland Revenue returns also show that the quantity of spirits consumed per capita in the whole Dominion fell from 1.126 gallons in 1885 to .711 of a gallon in 1886. This was for the whole Dominion. I have reason to believe that the falling off in Ontario was considerably greater than that, but cannot now lay hand on the figures. The average consumption of spirits per capita since Confederation to 1885 had been considerably over one gallon. Since that year the average has been considerably less than three-fourths of a gallon. I believe that the operation of the Scott Act, and local option measures since, have had largely to do with that fact.

That the Scott Act was fairly successful as a temperance measure in the estimation of the people seems pretty evident from the fact that the temperance people almost everywhere and almost universally opposed its repeal, while the liquor interests almost universally and everywhere worked with great energy for its repeal.

The Act, however, was not a success for several reasons :

1. It was a local measure only. There were few districts where it was in force where liquors could not be lawfully obtained near by. In the County of Lennox and Addington, for example, there were but four commitments to the jail for drunkenness during the last year of its enforcement, and I know that in two of these cases the liquors that had to do with them were purchased in a licensed tavern only a mile beyond the boundary. Kingston, on one side of the county, is but eight miles distant, and Deseronto on the other side one mile distant, and both had licensed liquor shops all the time in full blast. Men easily reached these points, and small quantities for illicit sellers were easily brought in, and yet the amount of drinking and drunkenness fell off wonderfully. In the three years that the Act was in force the total number of commitments to the county jail for drunkenness was but 19 ; during the next three years—the only reports published up to this time—the number increased to 57. In a number of other counties the official figures tell a similar story. At one time the jail was without a single criminal for some weeks—a circumstance that has not occurred since, I believe, or had not occurred in years before. Even though the law has been repealed, I have it from the authority of the very intelligent and reliable Clerk of the Peace that the liquor traffic has never recovered its former standing in the county.

2. It was inefficiently enforced. This in some instances was, no doubt, owing to the Provincial Inspectors being unwilling or incapable men. In many places, however, the lack of funds to carry on the prosecutions greatly interfered. It was a Dominion Act and left to Provincial enforcement. The Act needed amendments to make it workable by the Provincial machinery, and did not get them until it was too late for them to be of much value. The fines from the prosecutions and the fees from druggists' licenses were, for a time at least, taken away by Dominion Acts, and the County Councils refused, in a majority of instances, to provide anything for their share of the expenses of prosecutions. These difficulties were removed in the end, but by that time the repeal movement began, and it became evident that the Act would not be generally adopted. I do not think that any more local prohibition measures will again meet the general approval of the people.

The great body of the temperance people of Canada have always understood "a Prohibition Law" to mean one prohibiting the manufacture and importation as well as the mere sale. Nearly all of the thousands of petitions that have been sent to Parlia-

THOMAS W. CASEY.

ment during the last forty years have been for a three-fold law of that kind, and not for any partial measure. Such a law, I am well convinced, would be efficient and successful.

For years and years past it has been found an easy thing to prohibit the unlawful manufacture on anything of a large scale. It cannot be done "on the sly" to any such considerable extent as to supply the sellers throughout the country. The importation can also be effectually prohibited by the present Customs machinery, and quite as easily as many other things that are now thus prohibited. What can be smuggled across our borders here and there would be as but a drop to the bucket of what the sellers now use every day. With the supplies thus cut off, the sellers would not be at all difficult to manage. A general law of that kind would, I am fully persuaded, be much more easily and efficiently enforced than the Scott Act or the present License Act. Cut off the supplies, as the prohibitionists have always been praying for, and the selling will easily be stopped.

The legalized liquor traffic is not, so far as I can ascertain, any source of nett public revenue. The Province of Ontario, for example, got last year just \$300,604 of revenue from the license system. There was paid out of the Provincial Treasury during the year the following sums:—

Administration of Justice	\$391,689
Hospitals and Charities	151,574
Insane Asylums	185,081
Reformatories	9,216
Central Prison	46,915
Lock-ups in outlying districts	11,967
Crown Counsel prosecution Fees	8,882
Total	<u>\$805,324</u>

Sir Oliver Mowat estimates, and very correctly no doubt, that three-fourths of all the crime and poverty and misery of the country are due to the results of the liquor traffic. All of the above items come under some of those classes. But even allowing but one-half of the above payments to that one source, it will be seen that over a hundred thousand dollars besides the revenue would be required to meet the expenses thus entailed.

The Dominion Government got a revenue of less than two and a quarter million dollars last year from the importation of liquors and the grain for its manufacture. There went out of the country, however, a larger sum of money than that to pay for the liquors imported and consumed and the corn and malt imported and consumed in the manufacture. To meet that bill of imports, which added neither to the wealth, peace nor progress of the people, it took about two-thirds of all our coal exported; it took more than the total value of all our exports of gold, of copper, of nickel, of iron ore, of silver, of salt, and of coal oil; it took nearly all the value of all our barley exported, or of the six and a half million bushels of oats exported.

The Dominion Government got nearly five millions, all told, of excise duties in connection with the liquors manufactured in the country. The country, however, lost over a million bushels of grain destroyed in the manufacture, which ought to have been a part of our surplus for exportation, and ought to have brought back wealth to the country from its sale in foreign markets.

It lost, too, as our late census returns will show, the labour of 373 persons directly employed in our distilleries, and 1,865 employed directly in our breweries, or 2,238 in all. It is well known that more than as many more are indirectly employed in that way, or over 5,000 men. There are at least another five thousand men employed in connection with the sale, or over ten thousand in all. The labour of these men, so far as promoting the real industrial wealth of Canada, is worse than lost. It is estimated that all labour, if judiciously employed, adds to the country's wealth or resources to the extent of at least one dollar a day. By any such estimate as this the country is losing \$10,000 a day in labour alone because of the continuance of the traffic. The figures go

to show that Canada loses more labour each year because of the drink traffic than it gains by all its immigration.

There is also, according to a late Dominion Year Book, \$15,368,953 of capital invested in the manufacture of liquors in this country—just at the time when many important industries that would add much to our wealth cannot be carried on for want of capital. That is a larger sum than is invested in all our cotton mills, and over three times as much as in all our cheese factories, and nearly twice as much as in agricultural implement making, and over three times as much as in our iron smelting, and eight times as much as in ship building, and nearly twice as much as in all our woollen factories.

A prohibition law that would effectually stop the manufacture and importation and sale would let loose fully twenty millions of capital to be invested in other and more wealth-producing industries. It would let loose the five thousand men now engaged in the manufacture, and the five thousand more engaged in the sale, for other lines of industries that would add wonderfully to Canada's resources, besides the probably five thousand more who have ceased to become actual labourers because of drink, who are in the prisons, the hospitals, the sick or disabled resorts, or the asylums, either as prisoners or keepers or the like.

One other source of revenue in connection with prohibition often overlooked is in the reformed men who would become sources of revenue to the Government. I know one well-known citizen who a few years ago drank heavily, and as a consequence was poor. He paid less than five dollars a year for municipal taxes, and a leading merchant who knows him well estimates that his family purchased less than fifty dollars worth a year of dutiable goods. He quit drinking when the sale was prohibited by the Scott Act, and has remained sober ever since. He is now fairly prosperous. Last year he paid \$45.50 of municipal taxes, or five times as much as before, and the family purchased a little more than \$300 worth of dutiable goods, or nearly six times as much as before. The increased revenue to the Dominion Government on these dutiable goods, at 20 per cent, was at least \$50. His case is not an isolated one by any means. Under successful prohibition there would be thousands of such cases that would add to the revenue of the Government and the municipalities far more than the total loss of the entire drink traffic revenue.

By Mr. Clarke :

6365a. How long have you resided here?—Only about a month.

6366a. Do you know anything about the operation of the license law here?—No, nothing at all.

6367a. You have nothing further to add to your statement or your former testimony?—No.

ROBERT A. CARUTHERS, of London, commercial traveller, on being duly sworn, deposed as follows :—

By Judge McDonald :

6368a. Where do you reside?—In London.

6369a. How long have you resided here?—Since 1866, in the city. I was born seven miles from here.

6370a. What is your business, occupation or calling?—I am a commercial traveller.

6371a. In what line of business?—For the Carling Brewing and Malting Company.

6372a. How long have you been in that position?—Since the 14th of January last.

6373a. What were you doing before that?—I was employed in the hotel business in London, keeping a licensed house until a year ago last August, when I had to go out

THOMAS W. CASEY.

6374a. Between the time you were in the hotel business and the time you went to the Carling Company were you in any other business?—No.

6375a. Your license expired?—No. My year expired, and I was refused a renewal of the license; but I was given three months' notice.

6376a. Had you kept a hotel with full accommodation?—Yes, double what the law required, and I had paid only three fines in seventeen years and six months. I was not fined once in the last eleven years. But men that were fined got licenses.

6377a. Was any reason given you for not giving you a license?—No.

6378a. Did you inquire?—Yes.

6379a. And what answer was given?—They told me I could do without it.

By Mr. Clarke :

6380a. Was there any politics in it?—Yes, I guess there was. I think that politics had a great deal to do with it.

6381a. Was there a reduction in the number of licenses recently?—There was a reduction of nineteen three years ago, and I think there was a further reduction of ten.

By Judge McDonald :

6382a. Did you keep a hotel during the time the Scott Act was in force in the County of Middlesex?—Yes.

6383a. What was your experience of the working of the Act, judging from the travellers who came in from the county?—They could mostly get what they wanted through the county.

6384a. Did people come from the county who partook of intoxicating liquors in your house?—There were people came from the county.

6385a. Do you know whether liquors were sent from the city to the county?—I have drunk in hotels all through the county when the Scott Act was in force.

6386a. Did you find any difficulty in getting it?—No.

6387a. What liquors would be on sale?—Whisky and ale—mostly anything you asked for.

6388a. Was it publicly sold in a bar, as under license?—It was not exactly as public, but you could get what you asked for.

6389a. Was the liquor of as good quality as that sold under license?—The ales were about the same, but the other liquors were not.

6390a. We were told that the liquors were often of a vile description?—It was bad.

6391a. How about the price?—I could never see any difference in price. They charged about the same in Scott Act times as at any other time.

6392a. Had you an opportunity of voting for or against the Scott Act yourself?—No, I was in the city.

6393a. How do you find the license law observed in the city?—It is observed very well in London, I think, as well as in any other place in Canada. I think it is better than in any other city in Canada, and I have reason to know.

6394a. The Saturday night and Sunday law is well observed?—Yes.

6395a. How far do you travel as travelling agent for the Carling Company?—I go south to the lake, and visit Port Stanley, St. Thomas, Strathroy, Ingersoll, Woodstock, St. Mary's and other towns.

6396a. None of those counties are now under the Scott Act?—No, none of them.

6397a. Do you find the sale of malt liquors increasing or decreasing, or do you see any perceptible difference either way?—I don't think there is any difference.

6398a. Do you sell mostly bottled goods or casks?—Both.

6399a. Have you any figures?—Yes. I was asked by the trade about a year ago to get up some figures, and I have here a detailed statement, signed by people in the trade, not only in the liquor business, but in the soda water business, the cooperage business, and so forth.

By Mr. Clarke :

6400a. Do you swear that that is an accurate statement?—Yes, I swear that it is accurate as copied from the original.

By Judge McDonald :

6401a. These are furnished to you by men in the trade?—Yes. We went to the men and asked them to furnish them.

6402a. They are simply statements made not under oath by persons engaged in the trade?—That's it.

By Mr. Clarke :

6403a. You cannot swear to the accuracy of these statements?—No.

By Judge McDonald :

6404a. From your knowledge as a hotel-keeper, looking over these, do you think they would be correct?—I think they would. I think they are mostly estimated. My own hotel I owned, and in 1888 I was offered \$6,800 for it, and I will take \$2,500 for it now. This statement applies to the city of London, and it shows the depreciation in the value of property that would be caused by a prohibitory law. The values are : hotels, \$520,000 ; shops, \$44,000 ; soda water fountains, \$8,000 ; total, \$572,000. The estimated depreciation is : hotels, \$258,500 ; shops, \$21,500 ; soda water fountains \$3,200 ; total \$283,200. The value of plant and stock is : hotels, \$78,100 ; shops, \$59,200 ; soda water fountains, &c., \$24,000 ; total, \$161,300. The number of hands thrown out of employment would be : hotels, 307 ; shops, 29 ; soda water, 13 ; total, 349. The wages paid is : hotels, \$67,684 ; shops, \$14,220 ; soda water, \$3,436 ; total, \$85,340.

6405a. Those figures are simply what the people have told you?—The people in the trade have told me.

6406a. You have no means of verifying them, except by your own knowledge as a hotel-keeper?—Yes, and my knowledge of my own property, which I am willing to sacrifice.

6407a. You speak of the value of soda water fountains being depreciated. If people could not get intoxicating beverages, would they not drink other beverages?—No. You cannot get a soda water man or a cigar man that thinks it worth while to call on temperance hotels.

6408a. Why not?—Because it does not pay them.

6409a. Do you mean to say that the people who stop at temperance hotels do not use soda water?—They claim that.

6410a. And do not use cigars?—Yes.

6411a. Do you include in soda water ginger ale?—Yes. I got that from the men in the business.

6412a. The men in the business considered that they would be at a loss?—Yes.

6413a. Do you not know that a great many people use aerated drinks, who are total abstainers so far as intoxicating liquors are concerned?—Yes, there are.

6414a. Do you think there would not be enough to enable the people to continue in the business?—I don't think so.

6415a. You speak of the number engaged in the business who would be thrown out of employment. These are not all engaged in the bars?—A great many claim that they could not feed people at the prices they do now.

6416a. The travelling public have to be entertained?—Yes.

6417a. Don't you think people would keep places where they would be entertained?—Certainly.

6418a. Don't you think this statement includes dining-room waiters, chambermaids, and so on?—Yes ; but these hotel men claim that they would not need so many.

6419a. They would not do so large a business?—They claim not.

6420a. Taking your own experience as a hotel-keeper, would it have paid you to run your hotel if you had not a bar?—No.

6421a. Would the prices you got from lodgers and travellers, who did not use the bar, have kept your house?—No.

6422a. Why not?—Boarding places get \$3.50 or \$4 a week for regular boarders, and it would not pay a man to keep hired help and depend on nothing but that.

ROBERT A. CARUTHERS.

6423a. How about the travelling public?—Where I kept a hotel I had not so much of that, it was more boarders.

6424a. Do not those hotels that get the travelling public receive enough from them to pay them?—There are some hotels that do, and some do not. Some charge a price that will make it up, and some do not.

6425a. Do those who do not charge enough depend on the bar to make it up?—Yes.

6426a. How do you account for their not charging enough?—I could never get to thoroughly understand why they do not. I think it is the competition in the trade that keeps down the price.

6427a. When a man came in to board with you, why should you undertake to board him at a loss, depending on the bar to make it up?—It would not be exactly at a loss. We had to keep our tables up to keep our license, and we might as well take them at cost. I kept a great many railway men, my place was near the round-house, and I had to keep boarders in order to keep the tables for these men.

6428a. Where a man keeps regular weekly boarders, and has his rooms occupied by them, is that complying with the law in regard to keeping accommodation for travellers?—I think it does. You are supposed to have six rooms, independent of what you need for your family.

6429a. If these rooms are occupied by boarders living in the city and employed here, is there any question raised about it?—I don't think there has been by the Inspector.

6430a. If either the licensed hotel or the licensed saloon had to be done away with, which, in the interest of the community, do you think should be done away with?—The saloon, of course.

6431a. You have no figures as to the business of the Carling Company?—No. I have only been with them since January.

By Mr. Clarke :

6432a. I think you said that during the time the Scott Act was in force in Middlesex there was no difficulty in getting liquor, it was sold generally throughout the county?—So it was.

6433a. We were told that people came to London to get liquor, and that that was one of the reasons the Act was repealed; how do you account for that?—I don't know. We had no difficulty in getting liquor in the county. During the time the Scott Act was in force in St. Thomas, liquor was sold on Sunday and every other time.

6434a. Why did the brewers and distillers want the Act repealed, if there was such a general sale of liquor?—These people were in danger, I suppose, at any time of being locked up. I suppose they were fined.

6435a. But the brewers and distillers were not. Why did they favour the repeal of the Act if there was generally free sale?—Because they preferred doing a legitimate business, I suppose.

6436a. We were told by Mr. Bowman, who was an alderman, that at the time the Act was in force, the Carling Company applied to the Council for a reduction of license owing to their business having been injuriously affected by the Act. Do you remember that?—I do not. I remember Mr. Bowman being an alderman here. I am an alderman myself now.

By Judge McDonald :

6437a. Is there any other statement you would like to make?—No

REV. WALTER RIGSBY, of London, being duly sworn, deposed as follows :—

By Judge McDonald :

6438a. You reside in London?—I do.

6439a. Of what church are you a minister?—King Street Methodist.

6440a. How long have you resided in London?—This is entering on my second year.

6441a. Where were you in your previous term?—During the past twenty-five years I have travelled in the counties of Wentworth, Lincoln, Welland, Oxford, Essex and Lambton.

6442a. We have had put before us in evidence the declaration of the General Conference of your Church, held at Montreal, I think, in 1889, on the question of prohibition. You know what that is?—Yes. I was a member of the General Conference.

6443a. Do you personally concur in that declaration?—I do.

6444a. Speaking as a pastor, have you observed the effects of the drink traffic on the morals of the community?—It is the chief difficulty, it seems to me, with which we have to contend—the drinking habits of the people.

6445a. Do you find that it stands in the way of their religious and moral reform?—Very much.

6446a. That is the rule of your Church in regard to total abstinence, as to office-bearers, members and so forth?—If you go back to Wesley's rule, which is, after all, the basis of all our rules, it commenced with abstinence from spirits, and it is expected of members who still remain in good standing that they will abstain. There is no absolute prohibition, but drunkenness or anything that savours of it is looked on as a disqualification.

6447a. There is nothing requiring a member to be a total abstainer, but if a member is found using intoxicating liquors excessively, that would be considered a disqualification?—Yes.

6448a. How about the ministers?—I cannot say that there is a different rule for a minister, but a minister who is found to be not a total abstainer would be looked upon as being behind the times.

6449a. His usefulness would be affected?—Oh, yes.

6450a. Is the rule the same with regard to probationers?—A probationer who is accepted is expected to abstain from liquor and tobacco. Wesley looked on spirits as the great evil. I can recollect the time when a brewer was a teacher in a Methodist Sunday school; but Methodists, like other religionists, have changed their views on this subject.

6451a. Has there been any change, except by practice, that would prevent a brewer or distiller being a church member?—I think the words of our church rule are "buying or selling intoxicating liquors." The English custom of drinking beer has affected Methodists there, but in Canada of late years there has been no probation of any one of that type of English Methodist. We are not to buy or sell intoxicating liquors, or use them except in cases of necessity.

6452a. If the probationer is required not to drink intoxicating drinks or use tobacco, would the same rule apply to the probationer if he became a minister?—That has been looked upon as a hardship. Some of our older ministers use tobacco. I do not think any of them use liquor. Of course, a man who is a minister cannot be disqualified unless there is a charge brought against him.

6453a. But the new men as they come in?—They would be disqualified.

6454a. The requirement in their own case would be abstinence from both liquor and tobacco?—Yes.

6455a. You have spoken of the difficulties you have met with as a pastor, arising from the drinking habit. Have you found much poverty to arise from it in communities, where you have been?—If the wage-earner loses his time, his wages are cut off. I will give you an illustration. A young fellow whom I knew lost a week through intoxication. His wife said to me "we wanted that money to furnish our house; he has lost two or three weeks, and it will be as much as we can do to get through the winter without do-

REV. WALTER RIGSBY.

ing extra work." That is but an illustration of what we meet with frequently. He was not a member of our church, but I was interested in him. Now and then we lose a member from the same cause, and I have even known a minister to be deposed who had become addicted to it.

6456a. Have you thought anything of the mode of dealing with people who have become addicted to drink—whether these sentences of ten or twenty days in jail have any good effect?—It has always seemed to me an anomaly that in some cases the judge on the bench sends a man to jail if the man cannot carry as much liquor as he can. I have seen that done. So that I pity the men who are sent to jail.

6457a. Is there any real benefit done to the men who are sent to jail except that they are sobered up for the time?—They are only sobered up for the time; but I have known men sent to the penitentiary for a long time come out benefited.

6458a. Do you think a longer detention in a place specially intended for curative purposes would be better for them?—No doubt it would be a help. The only question would be as to the cases of men with families. It seems almost cruel to send the head of a family away for a lengthened time simply because he was under the influence of intoxicants. If there could be provision made at the same time for his wife and children and the system were widely enough extended, I could see the benefit.

6459a. Have you found, as a pastor, much intemperance among women?—I have known only one or two instances, and they have been very painful—women who have become addicted to intoxicants through the prescription of physicians. Of course, it has been mysteriously hidden; they would be represented as sick for a time, and I did not know the cause.

6460a. Have you noticed much poverty in connection with intemperance?—Most of my experience has been in country districts, and I have seen very little poverty.

6461a. During your residence in this city have you observed the operation of the license law?—Yes.

6462a. Have you found its provisions fairly carried out?—On the whole they are. I have been told, however, that licensed men have sold to men under the influence of liquor. We are not informers, and if we do not ask for confessions like the Catholic priests, we get them sometimes. I have seen places where liquor was sold on Sunday, but the Inspector could not get at them.

6463a. Have you had experience of the working of a prohibitory law?—Yes, both the Scott Act and the Dunkin Act.

6464a. Take the Scott Act?—My experience of the Scott Act was in the township of Dereham, in the County of Oxford. I lived in the village of Brownsville, just west of Tilsonburg. It was successful there.

6465a. Had you a good Inspector there?—I don't think there was much need of inspection there.

6466a. What was the population of Brownsville?—It is just a small country village.

6467a. Was there just one hotel-keeper?—Yes.

6468a. Did this man observe the law?—He gave up his business and went into the grocery business.

6469a. Was there any liquor brought in there?—Not to my knowledge. On the whole, they were a temperate people.

6470a. Have they adopted the township local option under the Ontario law?—I am not certain, but something the other day led me to believe that they are enthusiastic on the question of the plebiscite.

6471a. What would be the nearest place to them where a license law prevailed?—I am not sure whether the Act went into force in Elgin and Oxford at the same time. We were on the borders of Elgin.

6472a. It went into force in Oxford, in 1885, and in Elgin in the following year?—My circuit ran into Elgin, and I remember the vote there. We carried the Act, and it was tolerably well enforced in that part of Elgin.

6473a. Were the people there a sober people?—I don't think the people living in that part of Elgin were as sober as people in Dereham, but their travel would lead them in another direction. Tilsonburg was near, and there would probably be more difficulty in enforcing the law there.

6474a. What is the population of Tilsonburg?—I suppose two or three thousand.

6475a. Had you experience other than in Dereham?—I had experience of the Dunkin Act in the township of Pelham in Monck. My experience with the enforcement of that Act was not very satisfactory. The Inspector lived at Dunville, which is twenty or thirty miles away, and he was very unwilling to journey to the end of his division, but the people of Pelham are determined to have no license, and they have retained the Dunkin Act for twenty years, and it is still in force.

6476a. And have they made it a success?—It is a success to this extent, that there is to be no license, and any liquor drinking that is done is done on the sly, and it is made disreputable. I think, on the whole, the effect of refusing licenses has been good.

6477a. Taking a case of that kind, do you think that public sentiment being strongly in favour of the law may have helped?—Oh, it has hepled. The people there are strongly temperance. If you get the leading people in a community in favour of it, and they frown on the liquor traffic, there is not much difficulty; but if political influences enter into the question, and the leading people are neglectful or do not care to express themselves, it is a very difficult matter to enforce the law effectively.

6478a. Had you experience of prohibition anywhere else?—No.

6479a. What do you think of the question of the manufacture of wine and cider by farmers?—I have had a good deal of experience in grape growing. I have a brother-in-law, Murray Petit, of Winona, who is one of the largest grape growers of Canada. He has not gone into the manufacture of wine, and if the market is at all equal to the amount grown, there is a great deal more money in selling the fruit in the basket and getting rid of it. I think there are very few parts of Canada suitable for growing wine grapes. The ordinary grapes are not suitable for wine; you must have the Clinton or the Oporto or something of that kind. The grapes usually grown in Canada are not wine grapes.

6480a. How is the Catawba?—I would not think it would make much of a wine. But I am not a judge of wine.

6481a. In case of the enactment of a prohibitory law, would you favour its provisions being such as to prohibit that private kind of manufacture?—I would allow the same things that are allowed now by the Inland Revenue Department. A man is not allowed to distil or make beer. There is nothing said about his making cider. I do not know why you should prevent him making wine from the grapes he grows, but as a preacher I would advise him not to do so. I would allow the same privileges in those respects as are now allowed under the license system.

6482a. That is, you would not allow a man to manufacture beer for his own use?—You do not now, and I would not extend the privilege.

6483a. Would you favour the passage of a prohibitory law for the country at large? That seems the juster plan.

6484a. Would you make an exception in favour of liquors for medicinal, mechanical and sacramental purposes?—So far as medicinal use is concerned, that seems to be yet a debated question with the medical fraternity. I really think that much harm has been done by the improper use of liquors as medicine; they say that a man who is his own lawyer has a fool for a client, and I think that a man who is his own doctor should be put in the same category. I do not think liquor should be used except under a medical man's prescription, and I think the medical men are beginning to see that alcohol is a narcotic rather than a stimulant.

6485a. How about the other purposes?—I would not interfere with others who wished to use it for sacramental purposes. For manufacturing purposes it would of course be needed.

6486a. In case of its use for these purposes being allowed, would you think the Government should take the importation and manufacture into its own hands, or leave that to private enterprise?—That is a matter I have not thought of until to-day, and I would not like to give an opinion upon it.

6487a. In case of the enactment of such a law, would you favour remuneration to brewers and distillers for loss of plant and machinery?—No. I think they have had warning for years that the people are after them, and they must look out for themselves

REV. WALTER RIGSBY.

just as real estate men have to do if a boom bursts. The speculation has been accepted by those who go into it for the profit there is in it, and for the sake of that profit they are willing to run the risk.

6488a. Are there any further suggestions you can make to us in regard to the matters referred to us for inquiry?—As I favour prohibition, I would be in favour of supporting all the necessary means for its enforcement and for making up the loss of revenue, if there should be a loss, even to the extent of resorting to direct taxation. I think, however, it would be found, in the course of years it might be, that the apparent loss would be more than made up. I think the best men, who have given the question any thought, have that idea—that a sober people have a greater purchasing power, that men would not be niggardly because they had abstained from intoxicating drink, and while it might not all come through the customs, there would be some channels through which I think the Government could get a revenue. I do not know that I have anything else to say.

By Mr. Clarke :

6489a. Do you know of any place where there is in force a prohibitory law such as you would desire to see enacted here, so that we might, if possible, gain from the experience of the people who have tried it some knowledge respecting its effects?—I have no knowledge, personally, of any country.

6490a. Have you read of any country?—I have read of Westport, in Ireland; Saltaire, in England, and Maine; but except what I have seen of local option I have no personal knowledge.

6491a. But under local option, importation for private use is not prohibited?—No. But I was in country places and I saw very little drunkenness; and the use of liquor is something that cannot be hidden: you will see its effects. It was to myself a source of greater satisfaction to live where liquor was not sold.

6492a. Do you know any place where prohibition of importation is the rule?—No, I do not.

6493a. In Maine there is no prohibition of importation? Is not the trouble a conflict between the Federal and local powers, such as we had here between the Dominion and Local Governments in regard to the authority to enforce the Scott Act?—Mr. Mowat felt that the Act not being one of his, it was not his duty to enforce it, and I think that is the trouble in Maine. There are two masters there. If we get a prohibitory law, we must know who is responsible for its enforcement. Of course, the Scott Act was not our measure; we did not want it; it was given to us as a sop. We wanted prohibition.

6494a. You cannot give us the name of any place where there is such a law?—I cannot give you any place where importation is prohibited. But it is not prohibition unless it is.

6495a. One case of absolute prohibition mentioned to us was the Fiji Islands?—Of course, that is the latest product of Christian civilization. We are an old product.

6496a. We have been endeavouring to learn of some place where this ideal condition of things is in existence?—Well, of course, Canada is an ideal country, and we want to get the ideal condition.

By Judge McDonald :

6497a. Have you knowledge as to whether juvenile crime is on the decrease?—I have been out of the whirl of the city, and I am surprised at seeing the change that has taken place in that respect in thirty years; but I cannot say that I see so much crime as a sort of lack of reverence.

6498a. The view has been put forward that the prevailing custom of parents going so much in the evenings to meetings of societies, &c., has a tendency to make the children go out. Have you noticed how that is?—I think that the electric lighting of our cities gives children an excuse for being out, though I do not know that it is so bad for them to be out as it would be if the streets were dark. I do not allow my own children to be out on the streets at night, and I do not approve of it for any children.

6499a. Have you noticed a change in the home life of the people from what it was when you were a boy?—I cannot say I have noticed an increase of juvenile crime from

personal knowledge. I do not look to prohibition to give us everything we desire. I think some imagine that if we only pass the law, that is the end of it, and it would give us all we want. I have not that impression. I think it is only the beginning of the conflict. It is simply giving us the law we want as prohibitionists.

6500a. And you think the test would be afterwards as to the carrying of it out and as to the results ; you look for beneficial results?—I hope so. That is what I look for.

The Commission then adjourned.

LONDON, October 14th, 1893.

The Royal Commission met at 10 o'clock a.m.

Present :

JUDGE McDONALD.

MR. E. F. CLARKE.

VERY REV. G. M. INNES, of London, Dean of Huron, on being duly sworn, deposed as follows :—

By Judge McDonald :

6501a. You are a resident of London ?—Yes.

6502a. You are a Clerk in Holy Orders of the Church of England ?—Yes, and Dean of the Diocese of Huron.

6503a. How long have you lived in London ?—About thirty years.

6504a. I believe you were formerly an officer in Her Majesty's service in the army ?—Yes.

6505a. Since your residence in London have you noticed whether there has been a gradual and steady improvement in the temperance sentiment of the community ?—A most decided improvement.

6506a. To what do you attribute that ?—To the general advance of temperance sentiment.

6507a. Do you find that the different religious communions and temperance societies are doing their best to promote this state of things ?—Yes.

6508a. Do you know whether prohibitory legislation has had any effect in producing this improvement ?—I think not.

6509a. We have been informed that the Scott Act was in force in the county in which London is situated, for some time. Had you any opportunity of observing the working of that Act ?—I only had an opportunity of observing it from reports I received from those who were living in the county.

6510a. Do you come in contact with the clergy of your church in the county ?—Yes. The general opinion was that the Scott Act was of no great advantage to any place, chiefly from its not being properly enforced.

6511a. Would that remark apply to the information you received from the clergy throughout the Diocese of Huron at large, and the counties where it was in force ?—I think so. Of course it was not enforced in every county, it was in force in the County of Middlesex ; and in those counties in which it was in operation, the general impression was that it was an utter failure. One clergyman told me that in Woodstock there was not a store in which you could not get liquor after the Scott Act went into force.

6512a. Do you yourself favour the enactment of a prohibitory law for the Dominion ?—Decidedly not.

6513a. Upon what is your objection based ?—My chief objection is that it is opposed, it seems to me, to the principles upon which God governs the world ; and my next reason is that so far as I have had an opportunity of observing the operation of a prohibitory law, it has not been beneficial. I was in the North-west for some time, and I never saw so much drunkenness anywhere as I saw in the very section where prohibition was in force, certainly in Calgary. You did not see so many people on the streets drunk in the day time, but in the early morning and after the shade of night had fallen, there were a great many drunken people about. The clergyman who resided there, the Rev. Mr. Smith, informed me that the plan was for four or five men to get a bottle of whisky or brandy and meet together in some one of their houses to consume it. Of course there was no difficulty in getting liquor, none whatever, although the pro

hibition laws were in force. How it was brought in, I do not know. Mr. Ross, an engineer of the Canadian Pacific Railway, told me that the men were getting drink, he did not know how. On one occasion a large case came in marked eggs, and when the case was opened they found that the eggs had been blown and filled with whisky, and afterwards stopped up. These were sold at 50 cents a piece to the men. There is no doubt they had to pay a great deal more for it, but the price did not stop the consumption.

6514a. Have you had an experience of the working of a prohibitory law in any other section than in Ontario and the North-west?—No. Except what I have heard from others as to its operation in some of the States where it has been in force.

6515a. As a clergyman, do you find that poverty and unhappiness among families is caused, to any great extent, by intemperate habits upon the part of some member of the family?—Yes, there is no doubt about it, and I should be decidedly in favour of a prohibitory law if I thought that it would remedy the evil, but I do not believe it would.

6516a. In case of the enactment of such a law, would you favour compensation being made to brewers and distillers for their plant and machinery rendered useless?—Yes, it would be only honest to do so, and dishonest not to do it.

6517a. Speaking as a resident in London, how do you find the license law carried out here?—I am not very well able to speak from any statistics in my possession, but I think that the reduction in the number of licenses has been a decided benefit to the community. I should be very much in favour of doing away altogether with saloons, I believe they are the great curse of the city. But I should favour most distinctly a high license Act in preference to prohibition. I believe it would be far more effectual.

6518a. Do you think it would be an advantage to have a frequent inspection of the liquor sold in those places, in view of testing their purity?—I am not in a position to say. Doubtless there ought to be some restriction, some inspection. There are generally many ways of avoiding inspection. But I have not had an opportunity to form a judgment.

6519a. The law has been changed here so as to make the hour of closing earlier?—Yes.

6520a. Do you think that is beneficial?—Certainly.

6521a. Do you believe that any reformation is effected in men who are guilty of drunkenness by sending them to jail for ten, twenty or thirty days?—No, I do not. I think that the association of these men, one with another, rather tends to strengthen their habits than to weaken them.

6522a. Would you favour a system by which men, who have become confirmed inebriates, would be committed for a length of time to some institution with a view to their reformation?—Yes.

6523a. Have you noticed whether there is much juvenile crime in the city?—There is some, but I do not think there is more here in proportion to the number of inhabitants than there is in other places.

6524a. Are you able to say whether juvenile criminality can be traced to intemperance on the part of parents of children?—I cannot say. I think decidedly the example of parents who drink, is injurious to the children.

6525a. Do you think that children are more on the streets than they used to be in former years?—Yes, but there is a growing independence of youth everywhere.

JOHN M. DILLON, of London, wholesale grocer, on being duly sworn, deposed as follows :—

By Judge McDonald :

6526a. How long have you lived here ?—About 25 years.

6527a. Do you sell liquor in connection with your groceries ?—No, we have not sold for ten years.

6528a. You had given up that previous to the enactment of the Scott Act ?—No, it cannot be quite ten years since we sold, because we were in it during the Scott Act period. It is about six years this month since we gave up the sale.

6529a. You were in the wholesale business of liquor ?—Yes, we were then.

6530a. You had what is called a shop license that would allow you to sell down to three half pints ?—Yes, and from that up to any quantity.

6531a. Did you make sales outside the city ?—We did.

6532a. During the time that the Scott Act was in force, was there any difference in the quantity that you sold ?—Yes, there was a difference in this way, that it cut off the sales of wine and beer, but not the stronger liquors, in fact they wanted to get the spirit as strong as possible, they wanted to get the alcohol in a small compass. The Scott Act certainly increased the sale of whisky at the expense of ale, wine and beer.

6533a. Did you sell to any extent in what were Scott Act counties ?—We did.

6534a. Did you sell to the trade only, or to private individuals as well ?—We sold to the licensed vendors only, to people who held druggists' licenses or wholesale licenses.

6535a. You did not sell for family use, then ?—Not at all.

6536a. Did you then lose the family sale that you previously had ?—We never had it ; it was strictly a wholesale business.

6537a. Did you see yourself anything of the operation of the Scott Act ?—I did, all through the different counties from here to Chatham. I covered the road often, driving sometimes, and by train, both ways, stopping at the different hotels.

6538a. How did you find the law observed ?—I did not find it observed. In all my travels I met but one man who had observed the Scott Act.

By Mr. Clarke :

6539a. How many counties would that cover ?—That would be the counties of Kent and Lambton ; and occasionally I went up to Huron.

6540a. In all those counties you only met with one man who observed it ?—Only one, and that was a man down in Highgate. Of course, there were some who closed their hotels altogether, but this man kept his hotel open and observed the Scott Act.

6541a. You also include the county of Middlesex ?—No, I was not through that, but I have been at Strathroy. They just sold as usual, I never saw any difference. Everything was just the same as before except that they sold nothing but whisky, and just as cheap as they could get it, and that certainly knocked off the sale of other stuff.

By Judge McDonald :

6542a. From your experience, would you favour a rigid inspection of the liquor sold in saloons and at hotel bars ?—I think I would. They should be inspected, although I think there is less adulteration to-day than there was formerly, no doubt about that.

6543a. Are the empty casks returned to you ?—Yes.

6544a. Did you ever find substances in them ?—No, I cannot say I ever did.

6545a. Did you examine them at all ?—We had to examine them, at least, if we did not examine them, they were examined by the distiller in getting them back. Occasionally we would have complaint such as that the barrels had been used for cider or something of that kind, and a sour barrel can no longer be used for whisky. That was the only complaint we ever heard.

6546a. We were told at Walker's distillery that sometimes empty casks would contain tobacco, and sometimes beef, that had been put in?—I could not say about that. Of course the barrels were examined at the distillery. In our own packages we did not find articles put in.

6547a. Would you, yourself, favour a prohibitory law for the Dominion?—I think a high license law would be better, but I might favour a prohibitory law if it could be carried out. I doubt whether it could be carried out, there are too many willing to break it.

6548a. In case it could be efficiently enforced, would you favour a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale, except for medicinal, sacramental and mechanical purposes?—Yes, I would favour it, but I do not really think the thing could be carried out. I think the very fact of telling a man that he shall not drink, will increase his desire to drink.

6549a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—Decidedly, and also for all hotel property that would be depreciated in value.

6550a. Do you believe hotel property would be depreciated by the enactment of such a law?—Certainly.

By Mr. Clarke:

6551a. Why would it be depreciated? Would not the people require hotels after the enactment of a prohibitory law?—Yes, they would, but there would not be the same amount of profit in them. You would increase the expense of keeping up the other part of the house. They would require more help, and require to do more business in order to live.

6552a. How would they require more help if the bar was closed?—They would have to increase the dining capacity of their houses, and the bedrooms, etc., in order to make the thing pay. The profit is in the bar.

6553a. How was it during the time those temperance houses were run?—They increased the price of meals, and the consequence was that the very men who advocated this thing, went to the houses where liquor was sold.

6554a. The men who advocated what?—Advocated these temperance hotels. I remember meeting a traveller, who was a very strong temperance man, and he went to a temperance hotel where the rate was a dollar a day, but as soon as the price was raised to one dollar and fifty cents, he left it and went to another hotel at a dollar a day where they sold liquor.

6555a. Have you any doubt in your mind as to the practicability of enforcing a prohibitory law?—I do not think it is possible.

6556a. Why not?—Because nine-tenths of the people are willing to break it. I know that during the Scott Act men drank who never drank before in their lives, simply because selling was prohibited.

6557a. Is that not an extraordinary state of things?—It is none the less true. The consumption of whisky in those towns was increased at the expense of all other things, and they drank the cheapest whisky they could buy.

6558a. On the other hand, we have heard statements which seem to show that the sale of beer increased, or at least did not decrease, in the Scott Act districts during the time the Act was in force?—Well, I was then in the liquor business and selling to licensed vendors, and they certainly seemed to consume an immense quantity of whisky.

6559a. We had a statement yesterday from a brewer that the beer was not sold in large packages or barrels, but there was an immense development in the bottle trade?—Very likely. I did not see myself any difference. When the law was in force, everybody seemed to go along and drink just the same as usual.

6560a. The law was a dead letter, then?—The law was a dead letter.

6561a. Would there not be an improved condition of things if prohibition was extended over a wider area, say over a Province, or over the whole Dominion?—I am sure I do not know.

JOHN M. DILLON.

6562a. Are there difficulties in the way of the enforcement of the Act for the reason that people can bring it in for their own use, and because liquor is sold in surrounding counties?—I don't know about that.

6563a. Would you favour the enactment of a prohibitory law if it could be enforced?—If I were convinced it was possible to enforce it, but I do not think it is possible. There would not be sufficient revenue to pay officers to watch the thing from coming in.

6564a. Watch the thing from coming in from where?—Well, from the other side; from everywhere.

6565a. Under a prohibitory law, would you prohibit the importation of liquor by citizens for their own use?—No, I would not.

6566a. You would only prohibit the importation for sale?—For sale. But I do not think it would be possible. If I was convinced that to-morrow we could shut whisky out of the country, no doubt I would vote for it, but I am not convinced, and I do not think it is possible.

6567a. Would you prohibit the manufacture of wine from grapes, and of cider from apples, as well as whisky from corn and potatoes?—No, I do not think I would. I am not in favour of a prohibitory law, because I do not think it would be possible or practicable.

6568a. Do you know anything about the operation of a prohibitory law in other places than the Scott Act counties?—I do not.

6569a. Now, regarding the operation of a license law, how is it conducted in this city?—Very well, so far as I know. I was much pleased at a remark I heard made in Windsor, I was talking with a stranger at table, and he said that when he was in London he found it impossible to get a drink on Sunday.

6570a. What about Saturday night?—I am not able to say.

6571a. Are all the hotels now having licenses required in order to transact the hotel business of the city?—I should presume so.

6572a. Could there be a further reduction made with advantage?—I do not know. I have not taken sufficient interest in the matter to be able to say.

6573a. Are the saloons, which are mere drinking places, required for the business of the city?—I do not know.

6574a. Would you favour their abolition?—I think it would be fully as well.

6575a. Confining the sale of liquors to hotels, places where travellers can get meals, lodging and so forth?—Yes.

By Judge McDonald:

6576a. Have you noticed whether there is much juvenile crime in the city?—I have not.

By Mr. Clarke:

6577a. What is your opinion regarding the punishment given to drunkards, people who are charged with and convicted of drunkenness before the Police Magistrate? Do you think that a fine or imprisonment for ten, twenty or thirty days, have any effect at all in the way of reclaiming them?—If an unfortunate is addicted to drink, an imprisonment for ten days may completely sober him up. It may start him thinking, and may be a warning to him to stop. As long as we can keep him from whisky for ten or twenty days, so much the better. But it is a hard thing for his family to be deprived of his work.

6578a. Is it not unfortunately the case that in many instances, after the sentence has expired and the man is set at liberty, he starts off on another drunk?—Unfortunately it is so.

6579a. Do you think that method of treatment, committing him to jail for thirty days, does him any permanent good?—I do not know what other method you could adopt.

6580a. Would it not be better to establish penal institutions where special treatment would be given to men suffering from alcoholism?—No doubt it would be far better.

6581a. Give them longer terms, with hard labour and special treatment?—No doubt it would be better to give them special treatment.

By Judge McDonald :

6582a. Have you any statement you would wish to make yourself ?—There is no doubt the consumption of liquor is decreasing here.

6583a. There is a growth of temperance sentiment in the community ?—There is no doubt about that at all.

6584a. Do you attribute that to the Scott Act ?—I do not. I think the rising generation are becoming more enlightened.

ROBERT HENDERSON, of London, License Inspector, recalled.

I wish to make another statement before the Commission. I have heard the witnesses asked several questions in reference to saloons, and some of the witnesses seemed to have the idea that the law is constantly violated in saloons. Now, I wish to state that in this city, and I defy contradiction, there is more illicit selling after hours in some of the hotels in one week, than there is in a saloon in a whole year. That I know to be a fact.

By Judge McDonald :

6585a. How do you account for that ?—Simply because a saloon has only one room, whereas a hotel has several rooms where people can go and drink. We have not many saloons in this city, but in justice to the men who keep these saloons, I want to make this public statement. I do not say that every hotel violates the law in that way, but I am in a position to say that some of them do.

By Mr. Clarke :

6586a. Do you prosecute them ?—We are trying to prosecute them.

By Judge McDonald :

6587a. Would you favour a return to the law that would do away with the hotel bar, and centre the sale of liquors in saloons ?—I could not say that at all.

6588a. Why not ? The hotels violate the law and the saloons observe it comparatively well, would you not favour a change in the law that would confine the sale of liquors to the saloons and do away with the hotel bar ?—In some places in the United States that is the case.

6589a. Would your favour that plan for this Province ?—I do not know that I would. I have not considered the question from that standpoint. But I know in some places in the United States no liquor is sold at the hotel ; it is confined to saloons.

6590a. I am glad you have come forward to-day to make this statement, because I do not think I asked you yesterday about the matter. You have an infantry school in this city ?—Yes.

6591a. Is there a canteen in connection with it ?—There is.

6592a. Is there any difficulty in the administration of that canteen ?—There have been recently some complaints with regard to civilians getting drink there. That was six months ago. I made inquiries about the matter from one or two men connected with it, and they denied the charge. Civilians might have got drink there, but they did not pay for it. Complaints were made to me, but I think that like a great many of those things, the statements on some points were not very correct.

6593a. Speaking of the canteen generally, could you say it is a source of trouble to you as an Inspector ?—No, it has not been. So far as I know at the present time, it is well conducted. When I made inquiries at the canteen they stated to me that civilians were allowed to drink there but they did not pay for it. There was one case of a man who came to me about his son and wanted me to issue notices to the taverns not to let him have any more drink, and he referred to this canteen where the young man had

JOHN M. DILLON.

business to go every day, as his father was a butcher. I visited the canteen along with the father and made inquiries about the matter, and I found that the case was not as bad as it had been represented to me. Lately I have not heard anything about it.

By Mr. Clarke :

6594a. Of the two, which is the greater source of evil, the hotel bar or the saloon?—Well, my statement is only in reference to illicit selling after hours.

6595a. All the time, week in and week out, if we were to suppress one or the other, which would you suppress?—I cannot see that the saloon bar is any worse than the hotel bar. A man will get drunk at the hotel bar as well as the saloon bar; he will get the same kind of liquor and will have to pay for it.

6596a. If it was determined to abolish either one of them, which would you retain?—Well, I think that a hotel would be better without the bar; it would be better to confine drinking to a place where there was nothing else but drink, as they do in the State of Michigan. A few years ago I was in Michigan and stopped at a large hotel. After dinner, in course of conversation, I asked "where is the bar?" He said "we have no bar, we do not keep a saloon." I said "where is liquor sold?" He said "there is a saloon across the street."

6597a. What town was this?—Red Axe, Northern Michigan. I cannot say exactly whether that was under a county law or a State law.

By Judge McDonald :

6598a. Were you in any other place in the State of Michigan?—Yes; but that is the only place where I inquired about the sale of liquor. I think there are some proprietors of hotels in London who would rather be without the bar. I think I have heard Mr. More, of the Tecumseh Hotel, when he was manager for McGaw & Winnett, say he would rather be without a bar.

By Mr. Clarke :

6599a. We heard yesterday that after this early closing by-law came into effect, when half-past or twenty-five minutes past ten was reached, the company in the bar-room would adjourn either into the cellar or upstairs. Is that the case?—Yes.

6600a. Is that confined to hotels, or does that go on in saloons also?—That is not carried on in the saloons, but I am sorry to say it is in some of the hotels. I must set myself right with regard to saloons. As a rule in these saloons there is no business done in the dining room after the hours of closing—that is one temptation the less; and they have not the facilities for violating the law after hours the same as a hotel bar. I do not say that every hotel in the city does it, but there are hotels that do it.

By Judge McDonald :

6601a. There was a witness here yesterday, Ald. Caruthers, who informed me that his license was taken away from him without his consent, although he had not been convicted for, I think, eleven years previously; and that licenses were continued to people who had been convicted during that time. I suppose you were Inspector when his license was taken away?—I was.

6602a. It is only fair to you to give you an opportunity of answering his statement if you wish to do so?—I think Mr. Caruthers's license was taken away after the second reduction was made. There was an agitation amongst the temperance people to centralize the trade in order that it might be under better supervision by the police and the Inspector. The argument was used that there was no use for those places in the residential parts of the city, and consequently a great many of these places in the outskirts of the city were refused licenses for that reason. The ground was taken that they were of no use to the travelling public, and that they were only patronized by mechanics and labourers going to and from their work. That was the basis on which these reductions took place, and the temperance people wished to confine the licensed places to the business parts of the city. The majority of these places on the outskirts were cut off, with the exception of one at the end of Dundas Street, right opposite the exhibition ground, where it was an accommodation to the public. There is only one at that end of the

city ; the first year that was taken off for a while, but the license was granted again. There was nothing against Mr. Caruthers's character, as he says, he had not been convicted. He was a man that observed the law strictly.

6603a. Then it was owing to the action taken by the temperance people in the alleged interest of temperance that led to this license being refused?—Exactly. He was not alone. There were several away down further south and east, put in the same position.

JUDGE McDONALD.—I have received a letter from Bishop O'Connor asking to be excused from attending before the Commission because he has to leave the city early this afternoon, and saying that any evidence he could give would be unimportant, because, as he says, he knows little about the liquor traffic beyond what he reads in the newspapers.

HENRY ARNOTT, M.D., of London, on being duly sworn, deposed as follows :—

By Judge McDonald :

6604a. How long have you resided in London?—Thirteen years.

6605a. During all that time have you been practising your profession?—Yes. Previous to that I practised for ten years in London township.

6606a. Have you had any experience of a prohibitory law?—Yes, I had some experience in California. One winter I was not very well, and I went to California and resided in a prohibition town called Pasadena, for five months.

6607a. What system was in force there?—Prohibition of the use of liquor for beverage purposes, with the exception that wine was allowed at the table in the hotels.

By Mr. Clarke :

6608a. Wine that was intoxicating?—Yes, wine that was intoxicating.

By Judge McDonald :

6609a. Was there any other exception besides that of wine?—Not that I know of.

6610a. In what year were you there?—That would be in 1888.

6611a. How did you find the system work?—Splendidly. I never saw a drunken man but once, and he came up from Los Angeles.

6612a. Did you notice whether much wine was taken at table?—Very little wine was taken at the tables. There was a large restaurant, a large dining room, but it was a very rare thing to see any person calling for a bottle of wine.

6613a. This system was confined I suppose to the city limits?—Just to that city, about 12,000 people.

6614a. Was there a street railway in the city?—Yes, running through it.

6615a. Did you go out into the country district at all?—Yes.

6616a. How did you find the law there?—This law was confined to Pasadena alone.

6617a. I may state to you that the Commissioners visited Pasadena and made investigation. It has been stated that just outside the city limits, at each end of the street railway, is a licensed place in what would be called the county. Did you notice the existence of much places?—No, I was not aware of it, though I would expect such would be the case in that country.

6618a. Why?—Because there is a great deal of drinking there.

ROBERT HENDERSON.

6619a. Was the hotel Green in operation when you were there?—Yes.

6620a. What was the other hotel, the Raymond?—Yes.

6621a. Do you know how far the law is carried out in those hotels?—I do not know, I was not investigating. I can only speak as to the absence of drunkenness. I was not specially interested.

6622a. You are not in a position to say whether, in the hotel Raymond and in the hotel Green, sales of all kinds of liquor were permitted?—I know nothing about that, although I was in both of them.

6623a. Do you know that previously to your being there, they had a complete prohibitory system that prevented the sale of wines, ale and everything?—No, I do not know that.

6624a. Can you say as to whether ale as well as wine was allowed to be given at meals?—It was not so to my knowledge, that is my impression. I was not investigating, I speak merely from observation.

6625a. But you certainly did not see much drunkenness?—Certainly I did not see a drunk man there.

6626a. Did you find that people in California used a good deal of native wine?—Yes, a great deal.

6627a. That is really one of the industries of the country?—Yes, I believe it is. I may say that in the year I was there, there was only one policeman. There was a little lock-up, and I heard it stated that, during the whole year there had been nobody in it but one boy who had shot another boy while out shooting.

6628a. Have you had any experience of a prohibitory law here in Canada?—I had some slight experience of the Scott Act. I was a great deal through London township, and my experience would be confined almost entirely to that county.

6629a. That was your experience?—That the law was easily enforced, and that it was thoroughly enforced, the proof of which anybody could see for themselves, for the grass was growing at the tavern doors.

6630a. Did the men give up the hotel business?—No, some of them kept open, but travellers did not stop at them.

6631a. Why not?—I would infer that they had not gone there previously to water their horses, but that they had gone to get drink.

6632a. How far is London Township from the city of London?—It comes right up to it.

6633a. The city of London itself would be taken partly or wholly from the township of London?—It is taken in part from the township of London, but the Scott Act was not in the city of London.

6634a. What part of London township did you reside in yourself?—In a little village six miles away called Arva.

6635a. Did you find a very good observance of the law?—Yes.

6636a. How many hotels had there been before the Scott Act came into operation?—Three.

6637a. Did any of them keep on?—One of them was dropped off, if I remember rightly, before that. I was not living in the village at the time, but I was a great deal out through the township, and I knew everybody. I do not think there were a dozen families in the township that I did not know. I may say that I knew several families of drunkards that were very much improved in condition during the Scott Act. It was a great blessing to them, there is no doubt about it.

6638a. Have you had experience of any other community under a prohibitory law?—None whatever.

6639a. Would you favour the enactment of a prohibitory law for the whole Dominion, preventing the manufacture, importation and sale?—I would.

6640a. Are you opposed to the license system?—Yes, decidedly.

6641a. On principle?—Yes, on principle.

6642a. In case of the enactment of a prohibitory law, preventing the manufacture, importation and sale, would you favour an exception in favour of liquor for mechanical, medicinal and sacramental purposes?—Yes.

6643a. How would you provide for the production of the liquor that would need to be used. Would you favour its manufacture by the Government or by individual enterprise?—By the Government. I think any profit that comes from this business ought to be centred in the Government.

6644a. In case of the enactment of such a law would you favour remuneration to brewers and distillers for their plant and machinery rendered useless?—Decidedly not. Since I was a boy there has been abundance of warning to them that their business might be suppressed. The evidence that I have heard other gentlemen give here, corresponds with my own experience, that there has been a diminution in the use of liquor. These brewers and distillers have become immensely rich, and from year to year abundance of warning has been given them. I would decidedly oppose any remuneration.

6645a. As a medical practitioner visiting among families, have you observed much distress caused by the drinking habits on the part of members of the family?—Yes, a great deal, especially in the last three or four years, it is terrible. There is an organization in this city called the King's Daughters, about which I did not know very much until a few years ago. They asked me if I would attend some of their poor families that they were looking after, and I said I would. I used to attend them and supply them with medicine so far as I was able to do it. Since that I have become bitterly opposed to the liquor traffic because I see so much trouble and distress arising from it. The man himself who drinks doubtless has a certain amount of compensation in the exhilaration. He has a momentary pleasure, but the distress it causes to families is what touches me; and since I have witnessed these things, as I say, I have become bitterly opposed to the traffic as it exists at the present time.

6646a. Do you attribute much of the sickness with which you have to deal to the use of intoxicating drinks?—Yes, a good deal.

6647a. I suppose the constitution is affected by intemperance?—Yes, especially beer. I lived in a little village where I knew everybody, and the beer drinkers of that place are all dead long ago, every one with Bright's disease with the exception of one man, and he has had Bright's disease for ten years and has had three strokes of paralysis. He is a mere wreck, a helpless cripple. The whisky drinkers are nearly all alive and hearty. It seems as if they were pickled.

6648a. To what do you attribute the difference?—I do not know. I was asking Dr. Graham, who has been in Germany a great deal, he was up at the convention the other day, and he attributed it to the quantity that a beer drinker takes is so much diluted that it does not make him drunk so quickly, and consequently he takes a larger quantity of real alcohol in the beer than if he drank whisky.

6649a. Do you think that the ingredients that are put into liquor in making it have anything to do with that?—I do not know. I have thought a great deal about it, and I have tried to find out the reason.

6650a. We have heard it stated that in lager beer, for instance, they put an article called resin which affects the kidneys, if the use is excessive?—Well, of course that would account for it, but I was not aware of that. When I asked about it I was informed that the resin was merely used to close up the cracks, that it was not dissolved. But the fact is there, and a reporter in Toledo, where there is a great deal of beer drunk investigated this matter, going around among the medical men, and the same results showed there.

6651a. Have you noticed whether there is an increase in the sale of lager beer in this section of the country?—I do not know, because for a number of years past I have thought it was my duty not to favour the sale or use of it at all, and I have not been near those places.

6652a. Have you noticed whether much native Canadian wine is used?—Not so far as I have noticed: there may be.

6653a. As a resident of the city, have you observed how the license law is carried out?—Yes, I think the license law is pretty fairly observed. I think it is a very great evil that the bars are allowed to be kept open so late. Men, especially labouring men, who are unfortunately subject to drink, drink at those places until it is pretty late, and then they go home. They seem to be jolly enough at the bar, but after they get home

HENRY ARNOTT, M.D.

they are perfect demons. I am often called in the night to some case of distress, and I see the man raving around like a madman, although he was jolly and nice enough in the hotel. I do not much blame the saloon and hotel-keepers, because they do not see and know the after results. I have observed that the man is jolly and pleasant in the bar, but when he gets home he turns into a perfect bear.

6654a. So far as you have noticed, you think the law appears to be very well observed?—I think so.

6655a. How does London compare with other places you have been in, in that respect?—I think the law is as well observed here as in any city I have been in. I think there has been a very great diminution in crime and in suffering since the reduction in the number of licensed places.

6656a. In case the license law remains in force, would you favour a still greater reduction in the number of licenses?—Yes, I would.

6657a. What is your opinion with respect to the relative merits or demerits of saloons and hotels?—I favour the sale of liquor in a saloon, if it is to be sold at all. As long as the present system obtains, it had better be sold in saloons alone, with only one door, opening on the street, and confined to the ordinary business hours of the day. I believe if that was done, a great deal of the trouble would disappear.

By Mr. Clarke :

6658a. The law does not restrict other kinds of business, and say what hour they shall close?—Very true.

6659a. But you would shorten up the hours a good deal?—Shorten up the hours to the ordinary business hours. In fact I would like, failing prohibition, to see some law passed that would do away with retailing by the glass altogether. Let liquor be sold in a house where nothing else is allowed to be sold; and if a man will have liquor, let him buy it and take it to his own house and drink it there.

By Judge McDonald :

6660a. Speaking of prohibition, what do you mean by the term?—I mean the prohibition of the manufacture, importation and sale of liquor for beverage purposes; and for mechanical, medicinal and sacramental purposes, I would favour the manufacture being under the control of the Government, and the revenue going to the Government.

6661a. Is there any other statement you would like to make yourself?—Respecting the possibility of enforcement, I think the law is easily enforced, so far as I could judge in portions of the county of Middlesex, and also in Pasadena, California. California is a comparatively lawless country, and if a prohibitory law can be enforced there, right in the centre of a neighbourhood abounding with places for the sale of liquor, I think it could be carried out anywhere in the world.

6662a. Have you considered in regard to Pasadena, that the use of native wine is allowed in hotels and restaurants as long as it is furnished with meals?—Yes.

6663a. And that there are saloons just outside the city limits, and nothing to prevent importation of intoxicating drink into the houses from Los Angeles; so that really the people can obtain it?—Well, that argument does not apply. I, in common with a great many temperance people, do not object to people drinking, but we object to the evil that arises. Now, what I contend is that if there was any drunkenness in Pasadena, it did not appear on the surface, I did not see it. Then there is the clear fact that there was only one little lock-up and only one policeman. Now would it be possible in a town of ten or twelve thousand people, in this country, under the license system, to keep the peace of that town with only one policeman, and one little lock-up?

6664a. When you come to read the report of the evidence taken before this Commission in Pasadena, you will find a statement from the police authorities, showing what the police court business amounts to?—Perhaps when I see that I may change my opinion.

6665a. It was the duty of the Commission to take evidence in regard to all these matters. How far is Pasadena from Los Angeles?—Ten miles. I have heard men say that there was more liquor sold during the Scott Act in London township than there was previously. I have heard the statement made that the law was a perfect farce, that men were lying drunk in the gutters, and all that sort of thing. I am prepared to swear

that that was not true so far as London township was concerned, that the Scott Act was a great blessing to many families, and that the grass grew in front of the taverns where they were situated on the main road. But since the repeal of the Scott Act that condition of things has changed.

6666a. Do you see drunkenness now in the township where you did not see it before?—Yes.

6667a. To any extent?—More than there was before.

6668a. To what do you attribute the repeal of the Act?—Well, it is a very difficult matter to say. I have tried to find out from different sources, and have inquired from millers and others, and I have also enquired from farmers, and I think the true explanation is that among the farming community the conviction became prevalent that the Scott Act would lower the price of their barley, and it was a purely selfish consideration.

6669a. After they had had three years' experience, did they find the price of barley was lowered?—The price did fall, whether owing to the Scott Act or not.

6670a. We have found by statistics given by brewers that there was really no diminution in the amount of ale manufactured in the breweries. Such was the evidence given by Mr. Labatt; and I think the Inland Revenue showed no diminution either?—That would be very strange. I think the head of the Malting and Brewing Company made oath before the municipal authorities here that the Scott Act had been very injurious to their business, when they asked for a large reduction in their taxation.

6671a. Mr. Labatt has made oath in the way I have spoken, and the statistics he gave appear in the city newspapers. We find, at any rate, in the County of Middlesex, in 1885, the Scott Act was carried by a majority of 3,375, and in 1889 it was repealed by a majority of 2,538. Can you account for that revulsion of feeling?—I do not think that represents a revulsion of sentiment at all, it is very easily accounted for. The Scott Act came into force on a great wave of temperance sentiment. The temperance people had no monopoly, they had no interest at stake, and as soon as the Scott Act was carried, all their efforts ceased, and the temperance societies dropped out of existence.

By Mr. Clarke:

6672a. Was that a good state of things?—No, I think it was not a good state of things. The educative effects of the agitation ought to be kept up all the time.

By Judge McDonald:

6673a. Did they suppose the Scott Act was going to do everything?—I think they thought so. The Scott Act was repealed by a determined effort on the part of the opposite side.

6674a. You have told us that this wave of temperance sentiment swept over the country, and upon that wave of sentiment the Scott Act was carried. Then there seems to have been a change of sentiment between that time and the time the vote was taken for repeal?—I do not think it was a change of sentiment.

6675a. Well, what became of it?—I think that it continued.

6676a. Then I should suppose that the vote would have been as largely in favour of the Act on the second occasion as on the first occasion. If the sentiment continued I should expect to see it expressed in the same way by the people going to the polls and supporting the Act?—I do not think that is correct. People will go to the polls and vote if there is the requisite amount of agitation to start them thinking about it; but after the agitation stops, there are many people who forget and begin to grow careless and negligent, and don't bother to go to the polls.

By Mr. Clarke:

6677a. That view might be correct, it might be the explanation we have been trying to find; but the Scott Act was not repealed without agitation, was it?—I think it was.

6678a. Was there no meeting held to defend its continuance?—So far as my observation went, there was no agitation in any place against repeal. The temperance people had not got organized.

HENRY ARNOTT, M.D.

6679a. But they had the Act in force for three years, the evidences of its beneficial effects were seen in London township, and surely these effects were not confined to those who had favoured the Act, they must have been seen by people generally. Now, did these people allow the rum-sellers and their friends to run away with the whole discussion of the question?—That is my explanation of the matter.

6680a. Your explanation is also, as I understand, that the farmers were led to believe that the price of grain would be lowered, and they let their temperance principles go in order to keep the price of grain up?—I think both those influences were at work. I have asked a great many people, and I found men who admitted that it was a very good thing, that it did a great deal of good for many families, yet they said they could not account for the repeal.

6681a. Did these men, who admitted to you that it did great deal of good, vote to repeal the Act?—I cannot say.

By Judge McDonald :

6682a. We find the figures of the votes in Middlesex somewhat peculiar. When the Act was submitted in the first place, there were 5,745 voters in favour, against 2,370, a majority of 3,375 for the Act, the majority being more than a thousand larger than the whole vote against it. Now, after three years' trial of the Act, there voted to retain it 2,992, and there voted to repeal it 5,530, or a majority of 2,538 in favour of repeal. Now, to an observer unacquainted with the country, that looks like a change of sentiment?—It does decidedly.

6683a. We are desirous to find some explanation to account for it?—Well, the millers gave me that one explanation, they told me that they knew farmers who had voted for the Scott Act and who voted against it on repeal, because they were afraid it was influencing the price of barley. Of course any explanation I have to give is merely incidental, because at that time I was not as deeply interested in this question as I am now. Moreover, you know as well as I do that every once in a while—and that is a great difficulty with this question—a wave of temperance sentiment sweeps over the country, and we cannot really tell where it comes from nor where it goes to. In a temperance meeting that was held here the other night, that fact was referred to, that temperance people would once in a while get roused up, and would spend their money and spend their time in endeavouring to put down this evil, and then they would subside, and this interest would be followed by a period of indifference and neglect. Any person who has been engaged in temperance work can easily understand this movement of public opinion, because when they engage in a campaign it takes them away from their business. We saw this in the movement made in London for a reduction in the number of licenses. It takes a great deal of time, and they become wearied out with the effort, and for a while afterwards they feel like abandoning the fight and doing nothing more. I think that accounts for these waves of sentiment that sweep over the country, followed by a period of comparative indifference. At all events, you, gentlemen, know as well as I do that these waves do sweep over the country.

By Mr. Clarke :

6684a. Would it be safe to base a law for the prohibition of the liquor traffic upon a wave of temperance sentiment sweeping over the country, and likely to recede in two or three years? Would it not be disastrous to the cause of temperance if, after a prohibitory law had been enacted, it were found that it could not be enforced?—Decidedly it would be disastrous, but with regard to the enforcement of the Scott Act, if my memory serves me correctly, individual opinion should not count for a great deal, because individual opinion is a great deal like a point in Euclid, as position without magnitude, it amounts to very little. In that Jail Commission, that went around the country some years ago, the judges and sheriffs and jailors, swore almost unanimously that the Scott Act reduced the amount of crime, that it comparatively emptied the jails. I think that evidence was given very frequently. Doubtless the gentlemen of this Commission would know more about that than I do.

6685a. Did you examine the prison statistics of the State of Maine, or of Kansas or of Iowa?—No.

6686a. In Maine especially, where there has been attempted prohibition for forty years, they would be an interesting study for you. Take Woodstock, here in the next county?—Yes, I know about Woodstock, but the Scott Act was not in force there. Where the officers were in favour of it, it reduced the crime. I would like to be permitted to bring the Inspector for Middlesex on this point; he is a very honourable and straightforward man.

6687a. Between the time the Act was adopted in the County of Middlesex and the time it was repealed, there was an actual falling away of 2,753 votes in its favour, whilst there was an increase of more than 100 per cent in the vote against the Act, namely, from 2,370 in 1885 to 5,530 in 1889. Now, if the Act was as beneficial as your evidence shows, at any rate, so far as East Middlesex was concerned, and after the people had voted for the Act by a majority of more than two to one, if, under such favouring circumstances, there was no attempt at enforcement in many parts of the county, what might we expect under a general prohibitory law? Where would we likely get more favouring circumstances, so far as the expression of public opinion is concerned, than there was in this county?—It is not very likely. In this county I am quite prepared to admit that the Inspector was thoroughly in sympathy with the law, and if it was not carried out in Middlesex, I do not think you will find any other county where it would be more likely to be enforced.

6688a. Do you know anything as to the other riding of Middlesex?—No.

6689a. Was the law supposed to be well observed in the whole county?—Yes.

6689½a. The prohibition law in Maine does not prevent citizens from bringing liquor in for domestic use, it does not prevent farmers from making cider; under the prohibition you favour would you deprive people of that privilege?—I would not, I would not go into the home.

6590a. You would allow people who desired to do so, to bring liquor in for domestic use?—That is another question. I thought you were referring to the manufacture of cider and home-made wine.

6691a. You would permit cider to be made?—Yes.

6692a. Would you permit beer to be made by our German friends in Waterloo, for their own use?—Home-brewed ale?

6693a. Yes?—Well, I must decline to answer that, because I never thought of it.

6694a. Would you permit people to make whisky for their own private use, who preferred it to native wine, or beer or cider?—I would not.

6695a. You would draw the line at beer and whisky?—Yes, decidedly. Anything requiring a plant might be sold.

6696a. The manufacture of wine would require a plant. We saw something of that up in Essex?—It does not require very much of a plant to make home-made wine.

6697a. It does not require much plant to make beer or whisky either?—That is a question I do not wish to answer positively, because I never thought of it.

6698a. Would you deprive the people of the right of bringing it in for their own use?—I decidedly would. I think that is one of the great weaknesses of the Maine law. I have been informed by people from Maine that they never saw a drunken man, and did not know anything about one.

6699a. Where did they live in Maine?—I am not prepared to say just now. Different people told me so.

By Judge McDonald:

6700a. How do you regard the use of liquor as a medicine?—Occasionally it is useful, but very rarely so. My views coincide with those of the English physicians. The English physicians have changed their opinion regarding the use of liquor very materially in the last few years. It used to be held to be a strengthening agent in times of sickness, and now no less eminent men than Sir Andrew Clarke, Prof. Wilkes, of Guy's Hospital, and Dr. Norman Kerr, standing at the very top of the profession, say that was a mistake, that appearances were deceptive. That it is not established that alcohol has strengthening qualities, that its action is similar to that of opium or chloral, that it relieves unpleasant sensations for a time and makes the patient feel better, the

HENRY ARNOTT, M.D.

same as bleeding a man for inflammation of the lungs relieves him for a time, and you could not convince him that it had not done him good, yet a comparison of hundreds of cases treated with bleeding, show that three to one treated with bleeding die, although they get relief. So it is with liquor, it is a drug that relieves pain and soothes people to sleep, relieves their unpleasant sensations and consequently makes them feel better for the time being, and acts like a narcotic the same as any other narcotic. We all know that it is a narcotic, that it puts people asleep. A tablespoonful or two is commonly used as a nightcap to soothe off to sleep. I have used it many times myself and found it so to act. I would like to say that a strong argument against the use of liquor may be made from the standpoint of revenue. Through the disability of many drinkers to earn their living, and the early deaths that are occasioned through drink, the country is losing ten times as much as it gains in revenue from the drink traffic, that is, if it is possible completely to prohibit it.

By Mr. Clarke :

6701a. Do you think it is possible?—I do. I think if the Government and the officials desired to prohibit it, prohibition could be as easily and thoroughly enforced as the law against stealing, which, however, is not entirely suppressed now.

6702a. Was the failure of the Scott Act to prohibit due in any degree to the fact that the officials and the Government did not want it enforced?—I think so, decidedly.

REV. WALTER RIGSBY, of London, recalled.

By Judge McDonald :

6703a. In reference to a question you were asked last evening, I happened to be reading last evening the evidence taken before the Commission at Montreal, and I found that the Rev. Thos. G. Williams, D.D., a minister of the Methodist Church of Canada, in answer to the question No. 25833, replied as follows:—

“The Church of which I have the honour to be a minister, demands total abstinence of every member of the church.”

I understood, from what you said yesterday, that the rules of the church are not so rigid as Dr. Williams has stated?—I do not give them as strong an interpretation.

6704a. I understand you have the Discipline of the Church with you now, and are in a position to give us the authority?—As it is a question of interpretation, it may be that Dr. Williams is correct in the letter of it. I will read a portion of the rules. In the fourth clause of the Rule of the Methodist Society, as founded by Wesley—that was the origin of our Methodist Church in Canada—we read this:

“There is only one condition previously required of those who desire admission into this society, a desire to flee from the wrath to come and to be saved from their sins. It is therefore expected of all who continue the journey that they should continue to evidence their desire of salvation, first, by doing no harm, by avoiding evil of every kind, especially that which is most generally practised, such as taking the name of God in vain, or profaning the day of the Lord by doing ordinary work therein, or by buying or selling spirituous liquors, or drinking them, unless in case of extreme necessity.”

Now, it is put a little stronger in the last discipline, in the question asked of probationers, but so far as the rules of the society are concerned, that covers the membership of the Methodist Church in Canada. The question was also asked me about ministers. Well, the old form of examination used to be: “Do you take snuff, tobacco or drams?” That was changed, and our present form is this: “Do you take snuff, tobacco, or intoxicating drinks, and will you continue to abstain from the use of them?” That is putting it stronger than the old form. That is the promise I made when I entered the ministry. I would like to make a little reference to a question that has been asked this morning about the reason that led to the repeal of the Scott Act. In the first place, as I stated yesterday, the Act was not what the temperance people wanted,

it was accepted with a mental reservation as the best thing that could be got at that time. Then the difficulty of enforcement arose from an inadequate provision of the law. It rested, I think, in the first place, with the Inland Revenue officers. Then the question came up of a clash of authority between the Dominion Government and the Local Government, which certainly made the Act difficult to enforce, so far as I could understand. In Oxford county, where I was at the time, there was the McCarthy Act Inspector, and there was also the Inspector of the local government; well, whose business was it to enforce the law? In some cases it was not enforced, partly through that conflict of authority. Then I judged that in counties where the political parties were pretty evenly balanced, even after Mr. Mowat, or Mr. Hardy, or whoever it was at the head of that department, had given directions to the Inspector to enforce the law, there was a little laxity; there were those in the neighbourhood who had a pull on the Government, and I have no doubt these parties made it difficult for the Inspector to enforce the law. Then there was another reason. Temperance people, like myself, who had worked for the passage of the Act, found that the responsibility of enforcing it was going to rest on them, and they became wearied and perhaps were sometimes persecuted—for I have known cases where the persecution was of a pretty marked character, and they felt, after a time, we cannot keep up this kind of thing, we cannot stand it. I know, in my own case, that when I worked for the passage of a local option law, I did have to put up with a great deal of odium, and scurrilous articles were put in the newspapers about myself. I have been called a pugilist and a whisky detective, and I do not know what else, because I asserted myself pretty strongly and had something to do with trying to enforce the law. Now, I can readily understand that people who want to live quiet and peaceable lives, would say: We are tired of this kind of thing, and if we cannot get a better measure than this, we are going to give this up, and you will find that those who worked for prohibition did so, believing that it would be a Government measure, and that the Government would see to its enforcement, just as they would do with any other law that they pass, just as they are doing in connection with what we term the National Policy. They have custom-house officers, and they try to prevent smuggling, and they are justified in doing it.

By Mr. Clarke:

6705a. But these laws apply to the whole Dominion; the Scott Act only applies to counties where the people desire it?—We are now working for national prohibition. I say we got tired of it because it was local, and because the provision for its enforcement was inadequate. I would not to-day advocate prohibition if I did not believe that the Government would be behind it; it would be of no use to us. So I think that when the people found that there was no adequate provision for the enforcement of the Act, and when they found that after they had worked for it and succeeded in getting it, the burden of enforcement was rolled back on themselves, they got tired of it. There is also another question with regard to grape culture. It is a question of money with those who grow grapes. I believe there is more money in furnishing a good class of table grape, than in turning them into wine. When the grape season is over the cold weather comes quickly, and if our grape growers will bag their grapes in cork dust and make provision for storage, so as to furnish a good article in the winter time, there is more money in it than there is in making wine. It is with some a desire for money rather than a desire for wine. I have no word to say in favour of the manufacture of native wine. I think it is a pity that their desire for money runs in that direction.

6706a. Would you allow them to make this wine if they felt disposed to do so?—If a man had a few grapes, I would not hinder him any more than I would hinder him from pressing his apples into cider, but I would not allow him to make a trade of it. Women to-day make their wine just as they put down their preserves; and I do not suppose any Government would want to go hunting around the cellars to see if they had anything of this kind.

6707a. Would you allow farmers to grow grapes to make intoxicating wine for their own use?—I say you cannot prevent a man. I would allow him to do that if he wished, perhaps; but I should personally do all I could to discourage him.

REV. WALTER RIGSBY.

6708a. Now would you allow a farmer to make cider and keep it until it became intoxicating?—You already do that under the license system.

6709a. But under a prohibition system, would you still allow the farmer to make and keep cider for his own use?—I think it would be just about the same as putting up preserves in winter. If a man wants that kind of stuff in his cellar for winter use, we cannot prevent him.

6710a. And with regard to beer in the same way?—I think the time has gone by when they allow men to make beer without paying excise.

6711a. You would not allow a man to make beer for his own use?—It has to go through a different process from the making of cider. The making of cider is very common in this country, and most farmers do not use it as hard cider. When it gets to a certain stage they turn it into vinegar. I would allow the farmers to make cider and wine, but I would draw the line at beer.

VESEY BROWN, M.D., of London, on being duly sworn, deposed as follows:—

By Judge McDonald :

6712a. How long have you resided in London?—About 37 years.

6713a. Are you engaged in the practice of your profession here?—Yes.

6714a. Have you any practice elsewhere than in London?—No. I was in Her Majesty's service as army surgeon for some years before I came here.

6715a. During your residence in London, have you noticed a growth of temperance sentiment and temperance habits in the community?—Yes.

6716a. And a diminution of drunkenness?—Yes.

6717a. To what do you attribute that change?—Well, I think from a general improvement in the ideas of people, and the attention that has been paid latterly to temperance. More attention has been paid to it latterly than when I came here first; in fact no attention was paid to it at all at that time. It is only within the last ten or fifteen years that any direct attention has been paid to the temperance question.

6718a. You think that the efforts of the churches and temperance societies in that line have produced good results?—There is no doubt that amongst the youthful portion of the community, the sentiment of temperance has taken root, and I think it will bear its fruit by and by.

6719a. Do you think that part of the improvement is to be attributed to the effect of prohibitory enactments such as the Scott Act?—I think in a certain measure the Scott Act has been of service.

6720a. In what way?—In restraining the use of liquor, particularly amongst the youthful portion of the community.

6721a. You think then it has been an educator for good?—I think so.

6722a. The result of your observation is that it tends to decrease the consumption of liquor?—Yes. I have watched the effect of the Scott Act in this county, and also in the county of Elgin. I believe in Elgin it was not carried out as well, and did not produce the same beneficial results as it did here. But of course in a county like that there would be a great many old whisky drinkers who, if they cannot get it openly, will get it secretly, because they are determined to have it. But the youthful community, who have not become seasoned drinkers, soon get over the use of it; and in that way the Scott Act does good.

6723a. How do you account for the repeal of the Scott Act?—There was a curious feature about that Act. It was carried by a large majority at first, and then it was repealed by a great majority afterwards. That is a very strange anomaly. The only way I can account for that is that a great number of people did not vote for it at first, and if they had voted, perhaps, it would not have been carried; but afterwards when they saw the imperfect way in which the Act was carried out, they came forward and swelled the ranks of those who opposed it.

6724a. That would be an explanation, perhaps, to a certain extent, because we find that the vote against it when it was repealed, was much larger than the vote against it when it was carried. We find that when it was carried there voted for it 5,745; and when it was repealed, only 2,992 voted to sustain it; so that there was not only an increase in the vote against it, but a large diminution in the vote in its favour?—The only way you can account for it is to suppose that those who had voted for it, changed their mind in consequence of the imperfect way that the Act was carried out, and they thought it was no use.

6725a. Then you think there had been a change of sentiment to some extent as evidenced by the vote?—Certainly.

6726a. How does the license law work in this city?—I think it works very well. This is not at all a drunken town. At the time of the last exhibition held here, I did not see a single drunken person. This is a very temperate city, there is no drunkenness here at all except on the part of a few old whisky toppers who are always going from the police court into the jail. But taking it all in all, the city is extremely temperate.

6727a. The people who are sent to jail for two or three weeks, who come out and get drunk and are sent back to jail again, forming a kind of procession between the saloon, the police court and the jail, do you think they are benefitted at all by that mode of treatment?—I do not think they are, because they are no sooner out than they are in again.

6728a. Would you favour a law that would enable the authorities to commit such people for longer terms, and for purposes of medical treatment?—Certainly I would.

6729a. So far as your observation as a citizen goes, do you think the prohibitory clauses of the License Act are fairly well carried out?—Yes, I do. For instance, closing at certain hours.

6730a. As a physician, do you find among families much distress and suffering caused by intemperate habits on the part of some of their members?—No, I do not. Of course, I know some isolated cases, particularly amongst females, that are very distressing; but I do not find much of that.

6731a. Do you find that much of the disease that you have to treat professionally is caused by intemperate habits? I am not speaking of dipsomania itself, but of other diseases aggravated by the use of alcohol?—No, I cannot say that I do.

6732a. Would you favour the enactment of a prohibitory law for the whole Dominion?—No, I would not.

6733a. Why not?—In the first place, because I think it would be a very tyrannical one; it would restrict the liberty of those who know how to use liquor, and I think it would be extremely unfair to punish them because there are a few others who do not know how to use liquor.

6734a. In the case of the enactment of such a law, would you favour remuneration to brewers and distillers for their plant and machinery rendered useless?—I would, and one of my chief reasons is this: The Legislature comes in and makes a law for the proper manufacture and sale of beer, in the case of the breweries. These breweries, in order to manufacture good pure beer for the community, have to go to a great deal of expense and invest a great deal of capital; therefore I think it would be very unfair for the Legislature who induced the manufacturer to come in and spend his capital, to turn round suddenly and say: Now, I have changed the law and I will make a law that you shall not make any more beer, and I will not remunerate you.

6735a. We had a witness a few moments ago, a member of your profession, who told us that he found more physical evil and more sickness to come from beer drinking than from the drinking of spirits. What has been your experience in that respect?—I think it is about even, one is as bad as the other. I think that both whisky and beer are so adulterated and so impure that even the use of them, unless in great moderation, is injurious; but if they were manufactured pure then I do not think there would be half the physical evils produced by them as at present.

6736a. Then would you favour the strict inspection of liquor?—Certainly, and at frequent intervals. I do not think that the Government have surrounded with sufficient restrictions the business of furnishing the public with liquor.

VESEY BROWN, M.D.

6737a. Do you believe that the diminution of the number of licenses in this city has been beneficial?—Certainly, very beneficial.

6738a. In the case of doing away either with the tavern or the saloon, which would you prefer to dispense with?—I would do away with the saloon.

By Mr. Clarke :

6739a. During your time in the army, was there a canteen in connection with the regimental headquarters?—Yes.

6740a. Does that still continue?—Yes, but in a different manner than when I was in the service. Now it is under a Regimental Board and conducted much more beneficially.

6741a. Is there any prohibition of the use of liquor?—They do not sell whisky, nothing but beer.

6742a. Did you hear the testimony of Dr. Arnott regarding the evil effects of the use of beer?—I heard him part of the time.

6743a. He spoke of some village in which he resided and in which there were a number of persons who drank beer, and some others who drank whisky. He says that every one of the beer drinkers had died of Bright's disease, with only one exception, and that that man was very ill at present; while the whisky drinkers were alive and apparently well?—I suppose that shows that the beer was so much adulterated that it proved more injurious than whisky.

6744a. Do the medical authorities of the army think that the use of beer as supplied to the army, is injurious to the men?—No, but they take good care to get good beer, because the Board that manages the canteen is composed of officers of the different regiments who take good care that the beer is good beer.

6745a. Then they desire to protect the men, not from the use of good beer, but from the use of adulterated beer?—Yes: and they also say that they do not oppose it.

6746a. As a medical man yourself, do you think the use of beer, wine or whisky in moderation is injurious to the human system?—I think, in moderation, good beer or good whisky is not injurious, particularly for certain constitutions. Now, in this country and Great Britain rheumatism is a most prevalent complaint, there are thousands who have rheumatic constitutions. These people should never touch any fermented liquor, either whisky or beer. I myself, unfortunately, am one of those, and I have not touched either for the last 20 years. I know they injure rheumatic constitutions.

By Judge McDonald :

6747a. Do you know whether the sale of liquor on the exhibition ground is prohibited at the time of exhibitions?—I believe it is, but I am not certain.

6748a. Have you noticed at the time the fall fairs are held here, that there is very little drunkenness?—Yes. I was almost every day at the exhibition, and I have always taken the trouble to ask the police about drunkenness, and they always said there was very little.

RIGHT REV. MAURICE S. BALDWIN, D.D., of London, Bishop of Huron, on being duly sworn, deposed as follows:—

By Judge McDonald :

6749a. You are Bishop of the diocese of Huron, of the Church of England in Canada?—Yes.

6750a. How long have you resided in London?—Ten years next September.

6751a. Before that, you resided in Montreal, I believe?—I did.

6752a. And you were Dean of Montreal and Rector of Christ Church Cathedral?—I was.

6753a. When you were in Montreal labouring as a pastor, did you find much suffering and distress in families caused by the intemperate habits of members of the

family?—I think there was a great deal of distress among the poorer classes caused by drink.

6754a. Did you find much poverty resulting from the same cause?—Yes.

6755a. Taking Montreal and London, so far as you are able to judge, in which do you find the more favourable state of things as to poverty and distress?—I should say there was less in London than in Montreal.

6756a. I suppose that in London you have not the same opportunities, as a pastor, that you had in Montreal, of forming an opinion?—No, perhaps not.

6757a. Your duties here are those of a Bishop?—Yes.

6758a. Speaking from your own observation as a resident of London, how do you find the license law carried out here?—I think that they are reducing the number of those who possess licenses.

6759a. Do you find that beneficial to the community?—I should say so.

6760a. If either the licensed hotels or the licensed saloons or restaurants were to be done away with, which do you think had better be abolished?—I should say the saloons.

6761a. Have you had any experience of the working of prohibitory laws?—Not immediately and directly. I have had people speak to me about the Scott Act, and testimony differs very widely. I have heard it praised in its action, and I have heard it abused.

6762a. Speaking from conversation with clergy throughout the diocese, have you heard expression of opinion as to whether its effects were injurious or beneficial?—I think, speaking generally, that the clergy have said that the Act was not beneficial in the majority of cases. I know one clergyman who said it was most beneficial. But I understand it was not the Act which was bad, but the mode in which it was enforced.

6763a. The effects that came from it, owing to the manner in which it was carried out?—I mean, not that the law itself inherently was bad, but that it might be more or less indifferently observed.

6764a. It was the administration of it?—That is what I would gather.

6765a. Do you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of liquor for beverage purposes?—I think the country would be better without liquor.

6766a. Would you favour the enactment of such a law as I speak of?—I would, as an act of humanity I consider that the great majority of moral shipwrecks amongst men, that is, the decline and fall of those men, began through drink when they were young, either as minors or shortly after that period; and that therefore if a prohibitory law were actually established, it would save thousands of young men.

6767a. What do you mean by the term "actually established"?—I mean to say that if prohibition were on the Statute-book and liquor was still freely sold, it would not amount to anything. I mean if the prohibition were real.

6768a. You mean that the mere passing of a law would not answer the purpose unless it were carried out?—That is what I do mean.

6769a. In case of the enactment of such a law, would you favour the exception from its operation of liquor for mechanical, medicinal and sacramental purposes?—I would certainly; but I do not see its usefulness as a medicine, without contradicting any medical testimony. If a medical man said that a certain patient need it, I do not consider I have any right, as a lay man, to contravene that opinion. He, as a professional man, must know best. In anything I say, I do not wish to contravene medical statements.

6770a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—Well, I suppose as a matter of justice they should be. If they had purchased this with the immunity of the law of the land, I should suppose it would be an act of justice.

6771a. Have you noticed whether in London there is much juvenile crime?—I should not be warranted in saying there is much. I do not deny there may be some, but I would not be justified in saying there is a great deal.

RIGHT REV. MAURICE S. BALDWIN.

6772a. Have you thought at all of what may be the cause of juvenile crime as you have it in our cities, towns and villages?—Well, bad companionship, I think, and want of home instruction.

6773a. Do you think that there has been a loosening of home ties to a certain extent, by which children used to be kept in the house more than they are now-a-days; in other words, do you think children are allowed to run more upon the streets than they used to be in former years?—I could not well answer that. I suppose that in warm climates the temptation is very great for children to run in the streets. I could not say whether there is more of that now than there has been.

6774a. We find that in most of the cities and towns there exists a custom or police regulation, sending drunkards to jail for a short term; they come out and they get in again; do you believe that that system produces any reformation among drinking people, that these short terms of imprisonment are beneficial?—I should hardly think that they do produce much reformation. I think they want a different treatment, as for a disease.

6775a. Have you considered whether it would be well in the case of such persons to have them committed for a longer term in some institution where they would be treated as patients?—Yes, I think remedial measures would be better than punitive measures.

6776a. Would you favour the establishment of sanitariums for the treatment of such people?—I think it would be well.

6777a. I would like to ask you whether you yourself have noticed within the last few years a distinct growth in temperance sentiment and temperance habits in the community?—I think there is a growth in the general community.

6778a. Do you find that the influences of religious communions and temperance societies have been beneficial in that line?—I should say they had been beneficial.

6779a. Is there any statement that you would like to make yourself in reference to this question?—I would say that in visiting the jail this summer to see a man there, the turnkey said to me: There are few prisoners now compared to what there used to be; and I would imagine that if the use of ardent spirits was still further reduced, there would be still less crime.

ARCHIE BENNETT, of London, journalist, on being duly sworn, deposed as follows:—

By Judge McDonald:

6780a. How long have you lived in London?—Since a child.

6781a. Have you had any experience of the working of the prohibitory law?—I have been in towns where it was in force.

6782a. How did you find it carried out?—It was not carried out at all.

6783a. Will you name the section of country?—St. Thomas, Petrolia, Woodstock and Sarnia.

6784a. Were these sections under what is commonly called the Scott Act?—Yes.

6785a. Was the sale in these places open?—Wide open.

6786a. Did you notice whether in those places the liquor sold was spirituous or malt?—Both.

6787a. We have been told that in some places where the Scott Act was in force and liquor was sold, spirituous liquors had more sale than malt, because they could be carried more easily?—That is probably true.

6788a. And it has been stated that in some cases the liquors sold were impure, vile compounds?—That is probably true, too.

6789a. Have you noticed that the provisions of the license law are well carried out in this city?—I think they are, as well as it is in any city I know of, better than in most.

6790a. Do you yourself favour the enactment of a prohibitory law for the Dominion?—I have never taken any interest in the matter. I do not care one way or the other; I have given no consideration to it.

6791a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—I have never thought of the matter, but as a matter of justice, I should say it would be right. But I really don't care whether they are remunerated or not, that is, as an individual; I have not the slightest interest in it.

6792a. Under the license law as it at present exists, would you favour a more frequent inspection of liquors? We are told that in the rural districts there is a good deal of adulteration?—There is no doubt there is.

6793a. Does that apply to cities?—To a certain extent it does.

6794a. Would you favour a more complete system of inspection?—I think it would be a good idea if there were an inspection of the liquors sold.

6795a. Of course there is already provision made by the Inland Revenue Act for the inspection of liquors, but would you prefer to see a more complete and frequent inspection?—I have been told that in England there is a system whereby any person can call upon the Inspector to inspect liquor that is sold. I think that is a good idea.

6796a. We were told here yesterday, by a witness, that when the Scott Act was enforced in the County of Middlesex, people would come to London to get liquor, and that coming here they did their trading?—That is true.

6797a. And that consequently the business men and store-keepers in the county villages were not favourable to the law?—No, they were very much opposed to it.

6798a. You know that to have been the state of things?—I know that to be a fact.

6799a. Do you think the trade was turned to London to any great extent in that way?—There is no doubt about it. You could see it every Saturday when the London and Bruce train would go out. The people all along the road used to come in here to do their trading and carry home a little jug. They used to call it the 'drunk train.'

By Mr. Clarke :

6800a. You have spoken of what you saw in Woodstock, St. Thomas and Sarnia, where the Scott Act was in force, that there was practically open sale?—The bars were wide open, upon Saturday nights and Sundays, and every day.

6801a. Was that condition of things preferable to the condition of things which exists here under license, or in the towns you have mentioned which are now under license?—That is a mere matter of opinion.

6802a. What is your opinion?—It would not make the slightest difference to me. I do not care whether they are open all the time or closed all the time.

6803a. But in the interest of public morals, is it better that there should be a licensed trade well conducted, or a prohibitory Act such as the Scott Act, completely ignored?—I do not care to express any opinion about the matter at all. I only state the fact, anybody can draw their own conclusion.

6804a. But as a journalist as well as an observant citizen of what is going on, are the public morals benefited by having an Act on the Statute-book flagrantly violated, as you say the Scott Act was?—I think the general tendency of it would be to bring law into contempt.

6805a. Then would it be better to have a license law under which the traffic would be permitted to exist?—I presume it would; but as I say, so far as I am personally concerned, I do not care what the law is.

6806a. It makes no difference apparently, so far as your observation goes, whether there is a Scott Act or a license Act, as the sale of liquor is free?—That is my observation.

By Judge McDonald :

6807a. As a journalist, you notice what is going on in the community about you?—As a rule, I have an eye open.

6808a. Have you noticed whether the native wine industry is increasing in western Ontario?—There is no doubt about it.

ARCHIE BENNETT.

6809a. We have been told that a good many farmers in Essex are now making wine for themselves from their own grapes, and that they use it as a beverage?—A great many do.

6810a. We were also told that a large quantity of grape vines, shoots or whatever they are called, have been exported from this country to France, owing to the phylloxera having destroyed their vines. Have you any knowledge of that?—I have heard it, but I do not know it.

6811a. In case of the enactment of a prohibitory law such as has been asked for by many people, prohibiting the manufacture, importation and sale of liquor for beverage purposes, would you favour its going so far as to prevent these people from making wine for their own use?—I do not think any law could do it.

6812a. You think it would be impossible to carry out such a law?—Absolutely impossible.

6813a. Is there any statement you would wish to make here?—No, sir, I did not know I was going to be called. I have nothing to say about it at all.

REV. J. R. GUNDY, of London, on being duly sworn, deposed as follows:—

By Judge McDonald :

6813½a. To what Church do you belong?—I am minister of the Methodist Church of Canada.

6814a. How long have you resided in London?—Near a year and a half. Before that I resided in Sarnia.

6815a. Have you had any experience of the working of a prohibitory law?—Yes, in several municipalities.

6816a. The Scott Act or Dunkin Act?—The Dunkin Act, in the first place, in the County of Brant. My observation there went to show that when the Act was first placed on the Statute-book, it was very effective, after the question of administration had been settled. So far as I could observe, there was an attempt from the first to break down the Act by violation and to bring it into disrepute and disrespect. This so far succeeded, that the Act was repealed shortly afterwards in the County of Brant, but in the rural parts of the county it was very well observed until repealed. In the City of Brantford, there was more or less violation from the commencement. I was also in the County of Elgin during the existence of the Scott Act, when I resided in the town of Aylmer. When the Act was first brought into operation in Elgin, there was very great respect for it, and there seemed to be a disposition on the part of the hotel-keepers to observe it. Unfortunately, however, the Inspector of the east riding of Elgin was very lax and very indifferent in enforcing the law, so much so that we began to find he was not enforcing it at all; and the result was that the hotel-keepers and those interested in the traffic began to violate it more openly and soon brought the law into disrespect. We found it necessary there, as a temperance community, to institute proceedings against the Inspector; we found it necessary to bring charges against him before the Government. We finally succeeded, after months of effort, in getting him dismissed and another Inspector appointed. It can be easily understood that during that time there was a great deal of open violation of the law, so much so that the community became somewhat disappointed and disgusted, and were willing to repeal it.

By Mr. Clarke :

6817a. What about the new Inspector?—He was more willing to do his duty. But it was near the close of the term when he was appointed and began to enforce the Act, so that it did not very greatly interfere with the repeal vote. I was afterwards in the town of Essex Centre, in the County of Essex. There we had the old Dunkin Act in force. It was very well observed in spite of a very strong effort to break it down. There was a determined effort to enforce it in that place, and the only disadvantage we

had to contend with was that just outside the town was a hotel licensed to sell, where parties could go and get their supplies. But I observed this: that both in Elgin and Essex Centre, on the repeal of these local option laws, there was a great increase in drunkenness, especially among young men. I noticed that during the time the local option law prevailed, the persons who were known to be drinking and who were taking advantage of every opportunity to get liquor, were generally tramps or old toppers, or parties who had been for a long time addicted to the use of drink, and who would use every possible means to secure it; but that young men who had a character to maintain would not go near those places where drink was sold.

By Judge McDonald:

6818*a*. As a pastor, have you observed whether intemperance is the cause of much distress and trouble?—So far as my experience goes, I judge that more than three-fourths of the poverty that prevails in the community is the result of drink; and also that a great deal of the misery that is found in homes is the result of drink.

6819*a*. Do you yourself favour a prohibitory law?—I do, decidedly.

6820*a*. We have had before us the declaration of your Church on this subject, adopted at Montreal at the time of the last general conference; do you concur personally in that deliverance?—Yes, heartily and fully.

6821*a*. What kind of prohibition would you favour?—Entire prohibition of the manufacture, importation and sale.

6822*a*. Allowing an exception for medicinal, mechanical and sacramental purposes?—So far as necessary.

6823*a*. Would you prefer in that case that the Government should manufacture what is needed?—I think it would be better if the Government should avail themselves of the manufacture that is done by outside parties, and import for their own use. I do not think it would be wise for the Government to go into that business.

6824*a*. In case of the enactment of such a law, would you deem it right that remuneration should be made to brewers and distillers for the loss of their plant and machinery rendered useless?—I think that so far as my judgment would go, they have taken their chances in this business, just as other men have in other lines of business, and it would seem to be scarcely a proper thing that they should be remunerated for their loss in a business in which they have taken their chances.

6825*a*. As a citizen of London residing here for a year and a half, how have you found the license law to work?—I think that the license law is well administered here and so far as a license law can be of any advantage at all, I think that all the advantage is realized here, with perhaps some exceptions. We did seek to limit the time, especially in the evening, fixing the hour at seven o'clock for closing, but the majority of the people seemed to be against that plan. Moreover, through the Commissioners, we did secure the enactment of a by-law fixing ten o'clock as the hour for closing.

6826*a*. Do you think the closing at ten was an improvement on the old system of closing at eleven?—Unfortunately the liquor men took advantage of a little quirk in the law, and they claimed that it entitled them to keep open until half-past ten, that is, that they were entitled to sun time limitations, the time that is usually observed in business hours.

6827*a*. Did the by-law say ten o'clock standard time, or just ten o'clock?—I think the by-law passed by the Commissioners said ten o'clock. I believe the court decided that they were entitled to the extension until half-past ten, solar time.

6828*a*. Do you think it would have been an improvement if the time had been fixed at seven o'clock?—I think it would. I think most of the drinking, especially by young men, is done after seven o'clock.

6829*a*. Would you favour six o'clock, in fact?—Yes, I would favour closing altogether.

6830*a*. But while the traffic is under regulation, would six o'clock be better than seven?—I think the shorter the time the better.

6831*a*. When you resided in Essex did you find that the cultivation of the grape was being carried on by the farmers there to any great extent?—Yes, very extensively.

REV. J. R. GUNDY.

6832a. And some manufacturing their own wine?—So far as my observation went, they generally dispose of their grapes. However, on Pelee Islands there are some who do make wine, not for their own use particularly, but for sale and exportation.

6833a. How long since you lived there?—About two years and a half.

6834a. We are told that a good many farmers are now making wine from their own grapes for their own household use?—That may be possible.

6835a. That besides Pelee Islands, wine is being made at Sandwich, and at other places above Walkerville?—Possibly.

6836a. In case of the enactment of such a law as you wish for in reference to prohibition, would you permit farmers to make wine, cider, etc., for their own use?—Well, that would be a question that would need a good deal of consideration. I do not know that it would be possible to interfere with the individual rights of persons in a matter of that kind, but I think that the law should apply to them far enough to prohibit them from disposing of the wine by sale.

By Mr. Clarke :

6837a. You say you would not deprive a man of his own private rights to manufacture. Would it be depriving him of his private rights if you did not allow him to import for his private use? Supposing he did not see fit or had not the facilities, to manufacture liquor for his own use, such as beer, wine or cider, would you prevent him from importing it?—I think the Government should deal with those matters on the same principle that they do with the tariff, a man is not allowed to import anything for his own private use without paying duty upon it. In matters of that kind I think the law would apply in the same way.

6838a. But if the article is manufactured in the country, he can buy it at home without paying any duty except the duty that the raw material pays if imported. Would you allow a man to buy wine from his neighbour?—I do not think so, because he would then become a vendor in the same sense as any other.

6839a. Supposing he desired to bring in wine, or some kind of beer or spirits, would you allow him to bring it in for his own use?—No, I would not.

6840a. Would there not be great difficulty in enforcing such a law? One man who had the grapes or the land, and who had facilities, could make cider or wine, or beer or whisky for that matter, for his own use, while others who had not those facilities would be deprived of the privilege. I am merely putting the case to get your opinion?—That is a question to which I have not given any consideration, because I do not think the custom prevails to any extent of manufacturing for private use. I think in most cases the grapes are sold, and are used in their natural condition.

6841a. Of course there is a great quantity of grapes sold for use in their natural condition, but there are larger quantities used in the manufacture of wine, and the probabilities are that if we had prohibition, still larger quantities would be used in the manufacture of wine. That is one aspect of the case on which we desire to get the fullest information, as bearing on the practicability of a general law like this, whether you would permit men to manufacture wine, beer and cider for their own use, or whether you would prohibit that also?—That is a matter to which I have not given particular attention, and I would not like to give a decided opinion in relation to it. I think it is a matter that is entirely incidental to the question.

6842a. But you are clear you would prohibit the importation for domestic use?—Yes.

6843a. You understand, of course, that in Maine the importation for domestic use is not prohibited?—Well, I understand that there are certain Government regulations.

6844a. In Maine the case is different from that in Canada, because there the whole country is under one customs regulation, and no customs can be imposed upon liquor brought from one State into another. The sale of liquor is absolutely prohibited in Maine, but the importation of it for domestic use is not prohibited. I understand you go further than the Maine law, and that you would prohibit in Canada the importation for domestic use as well as the manufacture for domestic use?—I would, yes.

6845a. Do you know of any country where a law of that kind is in force?—No, not from personal knowledge.

By Judge McDonald :

6846a. Do you think that if this permission were given to farmers to make their own wine under a prohibitory law, there would be a tendency to this business increasing?—There is a possibility that it might.

6847a. You can foresee a difficulty in that way?—I can see there is a difficulty on either side of that question.

6848a. I suppose it is a question that has not really presented itself to the temperance people hitherto?—Not to a very large extent, because it is not a very large question as yet.

By Mr. Clarke :

6849a. Why is it not a large question now?—Simply because the area covered by grape culture and the manufacture of grape wine, is a very limited area.

6850a. But take the manufacture of cider, and beer, and whisky for private consumption?—There is very little beer manufactured for private consumption outside the breweries.

6851a. But the reason there is little manufactured by individuals, is because people can buy it already manufactured at the breweries. What we want to know is whether you would prohibit people from privately manufacturing beer for their own use?—My own conviction is that if it were not for the drinking habits of the people, more particularly the treating custom, there would be very little desire for these things, and they would be very little used. As a matter of fact, their use in private families is very small compared to what it used to be, so far as my observation goes, and the tendency is to discourage their use still more as temperance sentiment prevails. My own conviction is that the enactment of a prohibitory law would have an educative influence upon the community in that direction, and would still further develop the temperance sentiment.

6852a. Have you considered the effect upon drunkards of the mode of punishment which is now adopted in regard to them, that is, sending them to jail for terms of ten, fifteen or twenty days? Do you think that treatment is beneficial to them?—I think it would be very much better if there was some place to which they could be relegated and kept for a longer time, and given something to do.

6853a. Have you any other statement you would like to make on any of these matters which the Commission have been instructed to inquire into?—I have for a long time had the conviction that the adoption of a prohibitory law would be beneficial to the whole community, morally, socially and financially. My conviction is that far from diminishing the revenue, the revenue of the country would be doubled, because of the diversion to other channels of the very large amount of money now spent on intoxicating drinks; and that instead of prohibition being found a disadvantage in that respect, it would be found to be an advantage. I have also the conviction that it would have an elevating tendency upon the moral and religious tone of the community, and that a great deal of the difficulty we now meet with in our pastoral and other work, would be obviated—difficulty that arises from the constant temptation that is put before those who are addicted to the use of drink. My experience has been that a liquor bar on almost every corner is a constant snare and temptation to those who have become addicted to drink, and that they are easily led to step aside.

By Judge McDonald :

6854a. Have you noticed as a member of the community, whether the liquor traffic has an effect on other business, or upon the producing power of the people?—Yes, I have noticed that in communities where the liquor traffic was prohibited, business was more progressive. In conversation with business men, particularly in the town of Essex to which I referred a little while ago, they expressed to me their conviction that the repeal of the Dunkin Act in that town had very greatly damaged business, and resulted in many instances in disaster to business men.

REV. J. R. GUNDY.

6855a. How was it in Elgin?—I was hardly long enough there to be able to judge, but I saw no interference with business. In fact, I think business was in a healthier condition during the time of the Scott Act, than before or since.

6856a. To what do you attribute the repeal of the Act?—To the fact that it was not as vigorously enforced as it might be.

By Mr. Clarke :

6857a. If business was benefited in any appreciable degree, would not business men have fought strenuously against the repeal of the Act?—They did in many cases, and as an evidence of that, after the repeal of the Dunkin Act in Essex they took the first opportunity to enact a local option law—I am speaking of the town of Essex—and they enacted it by a majority of more than two to one.

By Judge McDonald :

6858a. Is it in force there now?—No, because of the interference of the courts. They have been litigating and appealing in regard to the matter. The case has been twice before Judge Galt, and in each case was decided against them. But they have vigorously fought the matter, and I believe the case is now before the Supreme Court in connection with other matters.

6859a. How do you find the sentiment of the farmers?—I think as a rule the farmers are strongly favourable to prohibitory legislation.

6860a. We would judge so from the electoral returns; but with the farmers in favour, and with the business men in favour, what class of the community is it that is opposed to it?—Well, that of course remains to be seen. As a rule, liquor men are strongly opposed to any prohibitory legislation.

6861a. Their votes would not be sufficient alone to prevent it. What other classes unite with them to defeat prohibitory legislation?—The loose class, the class of persons with whom they have influence, and the drinking class, those who desire to have easier facilities for drinking. Those classes of persons associate themselves with the liquor men.

6862a. They would not be enough to make a majority, would they?—I am speaking now as to certain localities. In the case of the Scott Act, the tendency of opinion was that, the law not being enforced, it was better that it should be repealed, not because it was not an advantage, but because it was not desirable that there should be a law that was constantly disregarded, constantly set at defiance.

6863a. Was it supposed that had a bad affect upon the moral sense of the community?—It was so stated.

6864a. Do you know anything of the effect that the Act had upon the business of the manufacture of liquor?—Only so far as the returns show that there was a great diminution, during those years, in the amount taken out for consumption.

6865a. Their business then was affected?—Certainly, and I have observed this, that the wholesale men were the most violent opponents of the law, that they were the men who put up the money for repealing the law, or for opposing the enactment of prohibitory legislation. They would not be so strongly opposed to it if more liquor was sold under the Scott Act than otherwise.

6866a. Did you hear the evidence given here yesterday by Mr. Labatt, one of the manufacturers?—No.

6867a. Well, it was to this effect—and the same has been given elsewhere—that they made as much or more liquor and disposed of it, but that there were constant difficulties about their carrying on the business, owing to sales being illegal in certain cases, difficulties of collecting, &c., and they preferred a business in which the law stood by them and made it legal?—I do not doubt that at all. I do not doubt they preferred to have protection of law; but I very greatly question, in face of the revenue returns, the statement that as much liquor was sold during the Scott Act as before or since.

6868a. Did you see the returns that were put in here yesterday by the brewers as to their output during that year?—I did not.

6869a. Did you see the figures of the Inland Revenue officer that were put in?—I saw the figures of the Dominion Government.

6870a. I mean the figures for your district that were put in here yesterday?—No, I did not see them.

By Mr. Clarke :

6871a. For the three counties of Middlesex, Lambton and Elgin?—I did not see those figures. I take the figures over the whole Dominion.

By Judge McDonald :

6872a. Your experience was in Elgin and Essex?—Yes.

6873a. Now, take Elgin, Essex and Middlesex, for which the officer of the Inland Revenue department gave us his figures?—In the case of Middlesex, of course, the limitation in the country around would not apply to the city of London.

By Mr. Clarke :

6874a. The three counties of Middlesex, Lambton and Elgin were under the Scott Act, and there are the returns for those years; how do you explain them?—The explanation the brewers and the distillers give of their opposition to the Scott Act, is that they were doing business under a great deal of difficulty, and found difficulty in collections, and they prefer to do a smaller business and do it under license?—I notice from the customs returns that in 1886 there was a large diminution, in 1888 an increase, and in 1893 there was somewhat of a diminution. In 1886 the diminution seems to have been about one-third, or one-half in some cases. The probabilities are that that being the first year of the enforcement of the Scott Act, caused the large diminution. As time went on the Act became almost obsolete because of non-enforcement. I have myself been in hotels in St. Thomas, staying there over night, during the Scott Act period, and everything was perfectly quiet, there was no indication of drinking. I came down early in the morning, and noticed one or two persons coming in, and in a round about way, evidently looking for something to drink. But there was no rush as during the license period. I have been in hotels in St. Thomas during the license period, when it took two or three bar-tenders to attend to persons who were drinking, at six or seven o'clock in the evening when men were returning from their work.

6875a. On special occasions?—No, an ordinary day. I had a horse in one of the hotel stables, and in going in to pay for the horse's feed, I found it difficult to get to the bar for that purpose, for the simple reason that the bar-room was crowded with persons waiting their turn to drink.

6876a. Did you pay for the horse's feed in the bar?—Certainly. Under the Scott Act, things were very different.

By Judge McDonald :

6877a. You find from this statement that that increase was in the year ending June 30, 1888, nearly double that for the year ending June 30, 1886. Now, I think that two of those counties came under the operation of the Scott Act on the 1st May, 1886?—I have not got the dates with me.

6878a. We have them here. In Middlesex, Lambton and Elgin, it came into operation on May 1, 1886. Up to the 30th June of that year, which was wholly a license year, the quantity was 6,952 gallons, while for the year ending June 30, 1888, a full Scott Act year, it was 12,630 gallons?—That would necessarily include the amount taken out for consumption, I would judge.

6879a. The statement shows the quantity of liquor entered for consumption for each fiscal year?—Then I judge that in view of the coming into force of the Scott Act, there was a very large reduction in that particular year.

6880a. The figures show the amount of whisky taken out of bond?—These figures do not go back far enough to affect the case.

REV. J. R. GUNDY.

6881a. Here are the figures of the amount of malt liquor manufactured in this revenue division since 1886-87 :

Year.	Gallons manufactured.
1886-87	1,685,635
1887-88	1,750,783
1888-89	1,666,313
1889-90	1,787,985
1890-91	1,711,812
1891-92	1,425,620
1892-93	1,461,251

In other words, the amount has kept right along nearly the same, with the exception of the last two years, in which it has dropped. The Scott Act was repealed in 1889?— There is no doubt that a great deal of stuff that is made in London, or within this district, is sent out, and a great deal that is made outside is sent into this district.

By Mr. Clarke :

6882a. That does not tally with the statement of the Inspector. He says the stuff that is taken out of bond here, is largely for consumption in this revenue division. We asked him on that point. Here are the figures of the number of gallons taken out of bond for consumption :—

Year.	Gallons.
1888	82,981
1889	87,529
1890	81,927
1891	57,063
1892	56,149

It seems to be getting less?—There is no doubt that the action in London in reducing the number of licensed places has something to do with the reduction of the amount within the last two years.

6883a. When did this reduction take place?—Two years ago last May.

By Judge McDonald :

6884a. Do you know yourself that any of the manufacturers complain that they were injuriously affected?—I do not know as a matter of personal knowledge, except that an application was made here by one firm for a reduction of the taxes. The application was to the effect that there had been such a reduction in the consumption of liquor, that the business was not as profitable as formerly.

6885a. By what establishment was that made?—It was made by the Carling Brewing Co.

6886a. During the time the Scott Act was in force?—No, at the time of the reduction of licenses in the city—so I understood.

6887a. You do not know whether such an application was made during the Scott Act period?—I do not know.

6888a. Is there any other statement you wish to make?—Nothing further. I think I have given you all that bears on the case.

D. H. WILLIAMS, of London, ex-License Inspector, on being duly sworn, deposed as follows :—

By Judge McDonald :

6889a. How long have you resided in London?—Fifteen years.

6890a. Have you held an official position as License Inspector?—Yes, for the district of East Middlesex.

6891a. How long did you hold that position?—Nearly five years.

6892a. Did you hold it during the continuance of the Scott Act?—Yes, and for some time after.

6893a. Did you attempt to enforce that Act as efficiently as it could be done?—Yes.

6894a. How did you succeed?—I think I succeeded well.

6895a. You think you succeeded in putting a stop to the sale of intoxicating liquor?—I do. We wound it up completely, dried it up, but it took time. It took us nine months to get the machinery in order to work. We found greater trouble to get good machinery and get it into proper working order, than in reference to anything else. There is where the weak point was in the Scott Act, where the failure has been, in my experience.

6896a. When the vote was taken for the repeal of the Act how did your district vote?—Well, it pulled up pretty close, but we were caught in the cyclone, as it were; I mean that the Act was being repealed every where else, and we were about the last. They did not bring on the vote here for a long time. It seems the parties who were manœuvring matters seemed to keep back until the other counties had all voted.

6897a. How do you account for the repeal?—There were two reasons. The people said, the Act has gone in the other counties, and there is no use trying to keep it in this little district, we cannot hold it here. A great many became discouraged on that account, and the temperance people, perhaps some of them, got a little disheartened at first through the Act not being thoroughly enforced.

6898a. Had they not got well heartened up by your efficient enforcement of it?—I think to a certain extent they did. It was not properly enforced for more than one year. It took us until the last year to get the machinery in working order. While I was in the office the traffic was practically dried up.

6899a. A witness has just given as an explanation for the larger amount of spirituous liquors that came in from the customs during the year ending June 30th, 1888, that the Act had so nearly run out. Now, your explanation is that the Act was most efficiently enforced during that very year?—Only in our district, I am not speaking outside our district. But that year it was thoroughly well enforced in our district.

6900a. And in that year there would be less liquor used in your electoral districts?—Yes.

6901a. How far is your district from the city of London?—It surrounds the city of London, except a little spot. I had no jurisdiction over the city, as it was not under the Scott Act.

6902a. Could the people in your district come into London to get liquor?—They could.

6903a. Did they avail themselves of the opportunity?—Some did. Of course people who wanted it drove into the city, but the district runs out 15 or 18 miles.

6904a. We have been told that some people who came into London to get liquor, also did their trading here at the same time. Do you know how that was?—Well, that is something I could not answer. I am not posted enough to say whether country people did their trading here, but I have been told that the villages did equally as well in those days as they ever did, in fact some of them did a better business, and the merchants collected their accounts better. There were families who had been in the habit of spending all their money for drink, and when they could not get it in the little town where they lived, they went without it. They were labouring men, and they were 12

D. H. WILLIAMS.

miles from the city, and when they could not get drink on Saturday nights they would stay at home; when they got their week's wages they carried it home.

6905a. Were the farmers benefited by it?—They ought to have been, because they did not spend so much money.

6906a. We wish to have it explained why, if the business men benefited, and the farmers benefited, and there was a general benefit through the country, the Act went by the board as it did. Allow me to draw your attention to the figures. The County of Middlesex gave a majority for the Scott Act in the first place of 3,375, and the Act was repealed by a majority of 2,538?—Well, that is certainly very startling; but as I said, I believe the great trouble was that the Act had been repealed in so many other places. Then there is no doubt at all that there was a very strong political feeling—I mean on both sides of politics—that was fighting against it.

6907a. Did the temperance men allow themselves to be affected by that?—I believe they did.

6908a. They allowed their political feeling to overcome their temperance feeling?—A good many of them did, I am sorry to say. But it is a fact that some temperance men will put politics first and temperance afterwards.

6909a. With the strong temperance feeling that there was in the county, would it not have been a matter of policy for the political parties to favour the law?—Well, that is the political party's business. Of course you would suppose so.

6910a. Would not that strike you so?—Yes, it would, but then the political party maneuver their cards so that they can make the most votes. I think if either political party would take up the prohibition question and go it flatfooted, they would sweep the country.

6911a. Do you favour the prohibition of importations?—A total prohibition from every standpoint.

6912a. Would you allow it to be imported for medicinal, mechanical and sacramental purposes?—Certainly, I am not a crank on that subject.

6913a. In case of the enactment of such a law, would you favour remuneration to brewers and distillers for the loss of their plant and machinery rendered useless?—No, I do not see any reason why they should have it. They have had a monopoly of the whole thing now for a good many years, while other men have to make a living the best way they can, and I do not see why they should not be the same.

6914a. You are a resident of London?—I always have been.

6915a. How do you find the license law works here?—It is a law that is very hard to enforce, I should think.

6916a. Are you opposed to licensing the traffic?—I am.

6917a. I suppose that while liquor is allowed to be sold, you would rather have it under restrictions?—The more prohibitory clauses we can get to bind it, the better—that is the idea with me. I do not believe in taking money from hotel licensees and building our streets with it; nor do I believe that we would be a bit poorer if we had to make up the loss of revenue by direct taxation.

6918a. You would be willing to submit to direct taxation in order to get prohibition, if the revenue could not be raised otherwise?—I would, certainly.

6919a. How do you think the license law is observed in this city?—I think very well, compared with other places. I can give you my experience of five years as a commercial traveller. While I was on the road I met with a railway accident, and that is why I am laid up now. I have been a commercial traveller for the last five years, I was a commercial traveller under the Scott Act, and also under the license law. I was Inspector of licenses for nearly two years, and I found the Scott Act easier to enforce, after we once got them broke down to it, than the license law. It is an easy matter to enforce the license law to a certain extent, and keep the traffic in some sort of bounds; but to enforce it so that nothing at all will be sold during restrictive hours, is much more difficult than to enforce the Scott Act. Any man who has been a commercial traveller for five years, on the road from here to Quebec, knows that there are mighty few hotels that keep the Sunday law.

6920a. How did you find it in your own district while you were License Inspector?—I found it easier to enforce the Scott Act the last year than it was the first year.

By Mr. Clarke :

6921a. Could you find us any commercial traveller whose experience of the Scott Act would justify us in believing that it prohibited the sale of liquor? We find it difficult to get information proving absolute prohibition under the Scott Act?—It was sold in nearly all the towns.

6922a. Were you a traveller during the Scott Act period?—Yes, one year.

6923a. Did you find any difficulty in procuring liquor?—No. In a great many towns you could procure liquor, but there was a certain amount of sneaking, you had to know the ropes. The young men did not seem so much inclined to sit round bars and drink, but the old toppers used always to know where to go, and there was a back door or something of that kind, where you could slip in and get, I suppose, what you wanted. I know it as a fact. I was a commercial traveller, and no one knew that I was a prohibitionist, although I never believed in hiding my colours when it is necessary to show them; and I know that the Scott Act was not enforced in a great many localities. That is one of the reasons why it was repealed in a great number of counties. It was chiefly owing to the fact that the Act was not thoroughly enforced.

By Judge McDonald :

6924a. How do you account for the fact that those returns show that the amount of ale and malt liquors that was manufactured, was just about the same all along till the Scott Act period?—It is not quite the same, although there is not a great deal of difference. But if you watch the movement of liquors closely, you will find there is a great deal in bond some years, and in another year a great deal will be taken out of bond.

6925a. But there are malt liquors manufactured here?—They might have held it back, and they might have sent it out. They might hold back some of it in stock. I cannot account for it altogether.

6926a. A brewer who was here yesterday stated on oath that there was this difference, that more went out in bottles than in casks, but that the manufacture kept up the same, or about the same?—They did not sell it in East Middlesex.

6927a. They did not send it out to the farmers of East Middlesex?—No.

By Mr. Clarke :

6928a. Would it be fair to assume that he sold more in the other divisions of Middlesex than formerly?—Probably he did.

6929a. The testimony shows that in East Middlesex the law was well enforced?—It is my experience that there is a sentiment abroad in the country that a prohibition law cannot be enforced without a very strong temperance sentiment. Now I do not think it requires sentiment at all to enforce the law. If you have poor officials, you have got to get a strong sentiment to root out the official and then get somebody else to enforce the law. But my experience is that good officials, good constables and good magistrates will enforce the law.

6930a. Why did you resign your position as License Inspector?—In the first place, I never asked for the position, I did not want it, but the temperance people forced me to take it. Then I told the Government that so far as I was concerned, personally I did not care for the position, and when the Act was passed I took up the position on purpose to enforce the law. Then there was another reason. I believe that I was too good an officer—though perhaps I should not say it myself—I was too efficient an officer. Now, that is plain language. I believe I enforced the law regardless of men, or party, or anything else. I just took a straight course, and all the papers could not write me down. I went straight ahead and enforced that law, and I was never beaten in one conviction. I never had a row with the liquor men in the county, everything went smoothly. I used every man alike and used him well, but I enforced the law.

By Judge McDonald :

6931a. Did you make many second and third convictions?—A good many.

D. H. WILLIAMS.

By Mr. Clarke :

6932a. Why did you resign?—The Government asked me to resign. They said there were complaints against me from all over the county, that I was rough and harsh, they did not think I was a very suitable man for the position. I know I was not from a liquor standpoint.

6933a. When you were asked to resign was there any remonstrance on the part of those who desired to see the law enforced?—Yes, they sent a deputation to Toronto and asked the Government to retain me, but the Government would not retain me. I was asked to resign in a peculiar way. They asked me to resign one year ahead, and I held the position for nearly a year after I had resigned—some six or eight months any way. The resignation took effect the next January.

6934a. How is the license law being enforced in East Middlesex now?—Not very well.

6935a. Are there any complaints about it?—A good many complaints.

By Judge McDonald :

6936a. Was your successor a man equally in favour of prohibition with yourself?—Not at all.

6937a. So you believe the Scott Act was an Act that could be enforced?—I do, with proper officials.

6938a. Do you attribute the repeal of the Act in Middlesex to the fact that it had been repealed throughout the Province?—That is the reason why we lost it.

Mrs. MAY THORNLEY, of London, on being duly sworn, deposed as follows:—

By Judge McDonald :

6939a. How long have you resided in London?—I have been living here since the fall of 1890.

6940a. I understand that you are President of the Women's Christian Temperance Union?—Yes.

6941a. How long have you held that position?—Since the fall of 1891.

6942a. That Union is interested in temperance work?—Yes, that is our object.

6943a. It aims at securing prohibition?—Yes.

6944a. Apart from that, it also engages in general temperance work?—Yes.

6945a. Is it a certain part of your work to look after families who are suffering from the intemperate habits of the father or of some other relative?—Yes. We have that, and we have an Evangelistic Department in our work, we hold little cottage meetings amongst people who do not usually go to church. We have held over 300 meetings of that kind in a year, and that brings us in close contact with the families of working people, and of course, the class of people who do not attend church are often very dissipated people.

6946a. Do you visit the hospital?—Yes, we have that, and jail visitation also.

6947a. Then you are brought much in contact with people generally, and are a great deal in their homes?—A good deal.

6948a. Do you find there is much suffering and distress caused by intemperance in this community?—It is about nine years since I first became connected with temperance work, and after I had been a little while in the work I found so much misery and heard such awful things from the lips of mothers and sisters about the evil of this traffic, that I grew to hate it, and my hatred was so great that it extended over to everybody who was engaged in it. I did not seem to realize at first that it was not right to feel like that, so I earnestly strove against that feeling, and I do feel now that those engaged in the traffic are themselves to be pitied, and God loves them also as well as those who suffer by the traffic, and I feel equally anxious that they should be out of it for their

own sakes. The things I have heard are so terrible that it seemed as if everything in me would rise up against the traffic, and I feel that as long as I live I shall try by every means to crush it.

6949a. You still have that feeling towards the traffic?—Towards the traffic, but not towards those who are engaged in it, because I see them suffer equally with those who patronize it.

6950a. Perhaps the better way would be for you just to make us a statement in reference to the matters which we have been instructed to inquire into, that is, the effects of the liquor traffic upon the social conditions of the people as to prohibition and the means of enforcing it, and the effect of the traffic on the industrial interests of the country, perhaps you would not be likely, as a lady, to be so well qualified to speak on those points?—You do not want definite cases?

6951a. No, just a statement of your knowledge of the effects of the traffic and how to remedy the evil?—I have had a little idea of a remedy, because I am acquainted with a town in New Jersey in which there is not a single place where liquor is sold; no license is allowed there, because those who founded the town got a charter from the Legislature prohibiting the sale of liquor in it. It is a narrow strip about a mile across. They got a charter prohibiting the sale of liquor on either side, I saw more benefit from prohibition than I ever thought possible. Of course the benefit was greatly diminished by the fact that one mile on either side you could buy all the liquor you wanted. The name of the town is Ocean Grove. There is a nest of taverns, some three or four around it, where people can get liquor. To that town mothers have brought their sons and wives have brought their husbands who were addicted to drink, and they stayed a year or two at a time and there would not be the least trouble with them. Then perhaps some old companion would get hold of them, or they would leave the town for some purpose, and in a short time we heard that they fell into habits of drinking again. As you know there has been much talk in the newspapers about this prohibition not being enforced and the trouble is that those who are opposed to us have not any hesitation in making statements without any foundation of facts. Over and over again I heard before I came there that any one could obtain liquor in the town; and if you are told a thing over and over again, and you do not know to the contrary, you gradually come to believe it. The statement was believed by many people that you could obtain liquor in the town. Of course there were drug stores where it was sold; and there are any quantity of hotels, but no liquor is sold in them.

6952a. What is the population?—In the summer time, 30,000 or 40,000. It is a well known summer resort and one of the Chatauqua assemblies is held at Ocean Grove.

6953a. There are other meetings held there, are there not, yearly gatherings?—From the 4th July to 1st September there are meetings almost every day, different kinds of conferences and assemblies.

By Mr. Clarke:

6954a. In those hotels that are used for the accommodation of persons who go there to spend a month or six weeks, is there any liquor allowed to guests?—There is absolute prohibition. A gentleman made a statement one day in the centre of a crowd of people that he could obtain all the liquor he wanted, and he brought out, if I remember right, \$25 and laid it down on the counter and said, I can go out from here and obtain all the liquor I want. Another gentleman said, I take you up. And he put down a similar sum of money, and said, We will stay here and give you any length of time you think necessary to go out and get that liquor, and you can back that up with all the money you please. The crowd all waited in the store, and the gentleman went out, and after he had been gone quite a length of time, he came back very crestfallen, unable to obtain a single drink. I could not tell you exactly the year that was in.

6955a. Were you there at the time?—No, I was not, but my husband was there at the time.

6956a. How many years ago would it be?—Perhaps I was living there at the time I do not remember. But I was acquainted with this gentleman at the time the thing occurred, and my husband knew of it as a fact. My husband was one of the charter

MRS. MAY THORNLEY.

members of this town, so I knew that prohibition was enforced, and you can see under what enormous difficulty when liquor could be obtained in Asbury Park, which was near at hand. All the time I was there, and I lived there nearly five years, I never saw but one person under the influence of liquor. We used to have every day, and almost every hour, the entire season, excursions coming down there, with 10,000 persons, with not a single case of intoxication. You could go to the beach all day long and never see an intoxicated person. I do not mean to say there never was one, because I asked a policeman on his beat, and he told me occasionally some one would come down bringing liquor with them and would attempt to consume it on the beach, but the police were so opposed to the liquor that they would not permit it.

6957a. Has that been your only experience of prohibition?—That is my only experience.

6958a. Where is Asbury Park?—Next to Ocean Grove, just a short distance from the lake, about a quarter of a mile. They do not allow open sale there, but liquor is sold largely in drug stores, because they have officials who will not enforce the law.

6959a. Do you know anything about a decision of the proprietor of that place to abandon the attempt to enforce prohibition?—He has made no such decision. It was stated so in the papers, and a deputation waited on him last summer, and he said it was not the case, although he has lost thousands of dollars in his efforts to enforce it. He said if he could have the people back him up he would still continue to enforce prohibition. He said that after the papers had stated that he was going in for high license and would no longer have prohibition.

6960a. Do you know as a matter of fact that he has not abandoned prohibition in Asbury Park?—So he stated to this deputation that waited upon him. He has no longer control of the town as he had originally, and the officials are now elected by the people directly, and these officials, many of them, are not in sympathy with the law and do not make any effort to carry it out.

By Judge McDonald :

6961a. Is there anything further you would like to say to us?—I do not think of anything.

6962a. How long have you lived here?—I was born and brought up in Canada, and since 1890 I have lived in London.

6963a. During that time have you noticed there is a progressive temperance sentiment?—I have found that decidedly the case.

6964a. And an increase of temperance habits?—Yes. I know a great many people who formerly used liquors a little in their own home, not regularly but occasionally, do not do so now.

6965a. From your knowledge of the home habits of the people, what would you say about permitting farmers to make wine and cider for their own use, in case a prohibitory law were passed?—I should think that all these things would settle themselves. I think the first thing would be to get a prohibitory law, and then if people made such an abuse of their power as to manufacture these things in their own home, public sentiment would have to rise and crush it out.

6966a. You would not interfere with that unless it was found to be an evil?—I have not had sufficient experience to know how to answer that question. But I have heard there are certain restrictions in reference to the manufacture of wine.

6967a. In Maine they allow people to bring in from other States such liquors as they wish to use in their own houses. The Federal law is such that there is no way to prevent it?—You mean the State cannot prevent it?

6968a. Yes. General Neal Dow has told us that he does not think that can be prevented under the constitution. At any rate, they do bring it in. But the law you aim at in this country would prevent that being done, as I understand you? You would prevent their bringing in from the States liquor to be used in their own families?—Yes, the importation.

6969a. Then comes the question whether people making their own wine at home from their own grapes, should be interfered with—would you permit them to do that?—I do not think, not having had any experience in those prohibitory States, that my

opinion would be of much value, but I should think we could start without that, and then if it became a detriment to the public welfare, we could suppress it. Let the law deal with that if it is found to be an evil.

6970a. What is the number of the members of your Union?—There are 305 paid members this year, and about 50 general members.

6971a. Do you know how many there are in the Province of Ontario?—We only count members who have paid their affiliation fee as belonging to the Provincial Union, and I think nearly 5,000 have paid their affiliation fee. Many people belong to the local Union who do not pay their affiliation fee to the Provincial Union.

6971½a. Are those ladies all pledged in favour of prohibitory legislation?—Yes.

6972a. And by that means they expect to do away with intemperance?—Yes. It just occurs to me that I might mention something about the King's Daughters organization, in the church to which I belong. It is a small organization. I should think there would be probably an attendance of fourteen or fifteen ladies at a time. Last year they had some twenty-seven or thirty families under their care. They do not take hold of families, except in rare instances, unless they have some connection with the denomination to which the ladies belong, not because they are not willing to help all the rest, but because the field is so wide they cannot help every one. Last year I heard of many cases and I was brought into contact with some. Some of the cases were so pitiful and heart rending, cases of mothers and children who suffered through the intemperance of the husband and father, that sometimes in the meeting ladies would say, It is almost useless to keep giving all the time to these people, it is like throwing money away when the thing that produces the harm goes on without any check.

6973a. In what church was that?—In the Dundas Street Central Methodist Church. There are King's Daughters connected with the other churches too. Ex-Mayor Spencer could give you valuable testimony in regard to this point.

By Mr Clarke :

6974a. Has the association given any attention to the treatment of persons who are addicted to the use of alcohol and who are before the Police Magistrate from time to time, and as to the punishment that is placed upon them? If they are convicted they are sent to jail for twenty or thirty days. Do you think that kind of punishment is productive of any permanent benefit?—No, I do not think it is.

6975a. Would you favour the establishment of institutions for the special treatment of those who are victims of alcoholism?—When I say that I do not think this kind of punishment is productive of benefit, I suppose it is necessary for the protection of society.

6976a. But does it benefit the people themselves who are victims of the drink habit?—No, I should not think it would benefit them much.

6977a. Would you favour the establishment of institutions where these people would be specially treated, where they could be committed for an indefinite period?—I think that in a large majority of cases, if the temptation was not put before them, they would not require any such establishments. The trouble is that the habit has got beyond their control. We have seen men who would give almost their lives if they could stop drinking, and if the temptation was not near then they would stop drinking.

6978a. But until the temptation is removed altogether, would you favour the establishment of institutions where they would be especially treated?—Yes, I would. Take a case that one of our union was visiting. A man was in the asylum, and his mother said to me "If it was not for the liquor saloons about this place that man would be at liberty and would be going about his business." But even one glass of liquor makes him crazy, and no one can tell what he will do, and so he must be shut up in that asylum. There is no other place for him in order to keep him away from temptation. I think as long as we have not prohibition, it would be wise to place them where they could not obtain the liquor.

6979a. Do you know anything about those institutions that are called Keeley Gold Cure establishments? Has your organization looked into their operation?—No, we have not taken that matter up.

MRS. MAY THORNLEY.

6980a. We have heard a great deal about their operation in the State of Maine?—I do not know anything about them. I know a number of cases where men have tried it.

6981a. With what results?—In some cases they have been entirely cured; in some cases they have been cured for a time and have lapsed again.

6982a. Do you know what percentage have lapsed?—I could not say. I had a friend who went there, and apparently he was thoroughly cured and became an agent for the institution, but he subsequently died a horrible death through drink.

6983a. Is there anything else you would like to say bearing on the subject of this inquiry?—We women are banded together for the overthrow of the traffic, and we never mean to stop until we see the last of it.

JUDGE McDONALD—As there is no other person who wishes to give evidence, this sitting of the Commission is closed. The Commission will meet at Berlin, Ont., on Monday, at 3 o'clock, p.m. The Commissioners desire to express their thanks to His Worship the Mayor for having given them the use of this commodious room.

The Commission adjourned.

BERLIN, October 10, 1893.

The Royal Commission on the Liquor Traffic met here this day at two o'clock p.m.

Present :

JUDGE McDONALD.

MR. E. F. CLARKE.

JUDGE McDONALD.—The sitting of the Commission is now open. I have to explain that of the Commissioners, Sir Joseph Hickson, Chairman, who has just returned from Europe, is not with us to-day; and Rev. Dr. McLeod, of Fredericton, N.B., who has been with us heretofore, has been called away to his own Province. It was expected that Mr. Gigault, of Quebec, the other member of the Commission, might have been with us here to-day, but he has not so far joined us on our Ontario tour. Her Majesty's Commission was opened in Brockville for this Province where the Letters Patent were read, and it is not necessary to read them here to-day. The Commission has been appointed for the purpose of obtaining 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 those measures in each case.
4. The effect the enactment of a prohibitory law in Canada would have in respect to social conditions, agricultural business, industrial and commercial interests, and the revenue requirements of the municipalities, the Provinces, and of the Dominion; and also as to its capability of efficient enforcement.

The rule that has been followed in each case has been to call as the first witness, the Chief Magistrate of the place. His Worship the Mayor is present, and we will call him as the first witness.

H. C. LACKNER, M.D., Mayor of Berlin, on being duly sworn, deposed as follows:—

By Judge McDonald :

- 6984a. How long have you resided in Berlin?—About seventeen years.
- 6985a. How long have you been Mayor?—This is my third term.
- 6986a. What is your profession or occupation?—I am a physician, practising in the town.
- 6987a. What is the character of your town as a law-abiding and orderly place?—Our town is very law-abiding.
- 6988a. The people are of sober habits?—Yes.
- 6989a. What is the population of Berlin?—I think, according to the last census, about 7,000.
- 6990a. Have you many manufacturing establishments?—Yes, we have quite a large number. The town is principally a manufacturing town.
- 6991a. Will you name to us a few of the principal industries?—The manufacture of furniture is a very large industry; then we have the tanning and leather industry, a shirt and collar factory, factories for the manufacture of buttons and shoes, a large glove manufactory, iron foundries and a piano factory.
- 6992a. All these industries give employment to a large number of operatives?—Yes.
- 6993a. Some male and some female?—Yes. The furniture and piano manufactories employ male labour generally; whereas the button works and the shirt and collar factory employ quite a number of females.
- H. C. LACKNER, M.D.

6994a. Are these working people of different nationalities?—Yes.

6995a. How are they as a class as to their habits?—Quiet and well behaved. They live very harmoniously and agreeably together.

6996a. Sometimes we find that people who are employed in factories make a separate class of the community, as it were, and are not always as quiet as some other classes?—During my term there has never been any disturbance amounting to anything. Our population is composed of German and English, and Pennsylvania Dutch. They have inter-married and formed a sort of mixed population. They all get along very well together.

6997a. Have you many places in the town licensed to sell intoxicating drink?—We have one wholesale establishment, two shop licenses, and I think there are eight hotels.

6998a. Is the number beyond the requirements of the people, of the travelling public and the farmers who come into town?—I believe not.

6999a. Are any of these houses what are commonly called saloons?—We have no saloons.

7000a. All these houses have accommodation for travellers, stabling for horses, etc.?—They all come under the name of hotels.

7001a. Are you the Police Magistrate of the town?—No. Of course the Mayor, by virtue of his office, is a Magistrate, but the work generally devolves upon Mr. McKay, who is the Police Magistrate proper. He is a County Magistrate, and most of the business comes under his special care.

7002a. Speaking as chief Magistrate of the town, and also from your observations as a citizen, do you find that the men in Berlin who are licensed, live up to the requirements of the License Act as to the observance of Sunday closing?—I think they do very well, as I have reason to know. I often go into the hotels as a physician, and I have never seen one instance where I thought the liquor law was broken. I have often remarked that.

7003a. And Saturday night in the same way?—I have never acted as a spy or Inspector, but in my capacity as a physician I am called amongst them very often, and I believe the majority of our hotels live up to the law positively and strictly.

7004a. Have you had any trouble in Berlin with minors being furnished with liquor, boys under the required age?—No such case has come under my notice.

7005a. Have you any Indians about here at all?—We have no Indians.

7006a. Have you ever had a prohibitory enactment in this county?—No, not to my knowledge, neither in the town nor the county.

7007a. Do you know whether the Scott Act was ever voted upon in this county?—No, not to my knowledge.

7008a. Have you had experience of a prohibitory law in any other section of Canada, or elsewhere?—I have been about in the two adjoining counties, Oxford and Wellington, and I saw the most disgraceful carrying on I ever saw in my life in the town of Woodstock, County of Oxford. I was Mayor at the time, and a number of us had occasion to go there as a Commission. We stoped at the O'Neill House, and we were asked if we would like to see how the Scott Act worked. Of course coming from a county of this kind, we were very anxious to see what improvement could be made. We were asked to step through a sort of a sub-way, I think it was. There was a dance going on in the Town Hall, and I was amused to see them drinking in lager beer glasses. The Germans here have what they call a lager beer glass, which is a larger glass than is used in hotels for stronger liquors; and these people were carrying liquor around in lager beer glasses.

7009a. In Wellington County what experience had you?—I never saw things so bad as that in Wellington. However, I saw that the Scott Act was broken there frequently.

7010a. Have you had experience in any other country than Canada?—I have been in the United States, but never in a prohibitory State.

7011a. Speaking as a physician, do you find any large amount of the cases which you have to attend professionally, in which the sickness is caused from intemperate habits?—I do not think I have seen half a dozen such cases in the seventeen years I have practiced, either delirium tremens or anything of that kind.

7012a. Have you had any cases in which intemperate habits have been the means of aggravating other diseases?—Well, that is a pretty difficult matter to answer.

7013a. So far as you recollect?—In my recollection I have very seldom been able to trace any disease to liquor. I have noticed a few cases of delirium tremens, but very rare. I am positive in saying that I have never seen half a dozen cases in this community.

7014a. Have you much poverty in Berlin?—We claim that our people are better housed and fed than in any other town in Canada. I think we can justly claim that pre-eminence. Our charity account towards helping what we would call poor people, is I think within \$100. Some six years ago it was nearly a hundred dollars. This money is used to aid families that are destitute of the ordinary necessities of life.

7015a. Have you found that among any of those families, the poverty is caused by intemperate habits on the part of, say, the head of the family, or other members of it?—Scarcely ever. There are some cases of widows with children that we have had to support. But I cannot recollect a case specially now where I have been obliged to aid a family on account of the drunkenness of the husband.

7016a. Would you favour the enactment of a prohibitory law for the whole Dominion, prohibiting the manufacture, importation and sale of liquor for beverage purposes?—That is a question to which I am scarcely prepared to give an intelligent answer; I have not studied the subject thoroughly enough to answer it directly. My opinion is that the only way to improve the habits of the people is by education. I think the people would have to be overwhelmingly in favour of prohibition before it could be enforced.

7017a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery that would be rendered useless?—I certainly think they should.

7018a. Have you found since your acquaintance with Berlin that there has been a gradual and steady growth of temperance sentiment in the community?—I think that the liquor traffic has rather decreased in our town. What are generally called old toppers, I believe we have less of them now than there were fifteen years ago.

7019a. Is there any statement you would like to make yourself, upon any of the points covered by the Commission you have heard read?—Well, I have never really studied the liquor question. All I know is that the people of this town are very law-abiding. I would certainly favour a rigid enforcement of the present law.

By Mr. Clarke :

7020a. What is your police force?—We only have one policeman in the town, only one paid officer.

7021a. Is he able to enforce the by-law?—He seems to be getting big and fat over it.

7022a. How many places are licensed?—I think eight hotels, two shops, and there is one wholesale license; but no saloons.

7023a. I think it is a proof of the order and sobriety of the people when you have only one officer for a population of seven or eight thousand. Regarding billiard tables in hotels, do you approve of them or would you separate billiard tables from places where liquor is sold?—I think they had better be separated. I have not much experience with them.

7024a. Would you favour granting licenses to saloons, that is, to places that make no pretention to giving accommodation to travellers, but are merely drinking shops?—No, I would not favour that. We have never taken that stand in the town. I think it is the feeling of our public not to have saloon licenses.

7025a. Is one police officer found capable of keeping order in the town?—He attends to the enforcement of the by-laws, and keeps good order in the town. We pay him about \$600 a year, and it is his duty to enforce the law and see that fines and the like of that are paid to the Town Treasurer.

7026a. To what do you attribute your immunity from poverty in this town?—Well, our people are very industrious and economical, as a class. Very few of them

H. C. LACKNER, M.D.

have spendthrift habits in regard to liquor or anything else. They are not paid larger wages here than in other places, but their habits are so economical and thrifty that they do not want to spend so much money. Of course our manufactures give them very steady employment. We understand that is the first requisite towards steady habits.

7027a. What is the beverage of the masses of your people?—The principal beverage seems to be a light lager beer.

7028a. Does that take the place largely of malt liquors and spirits, and of strong beer?—I think if two dozen of our working people were to enter a bar-room, twenty two of them would only drink their lager.

7029a. Is this light lager manufactured in this county?—Most of it is manufactured in this county. There is no manufacture now in town, but it comes from Waterloo, and I understand a good deal of it now comes from the town of Guelph. Strong ale is very little drank here. The German population do not seem to favour strong ale, but rather the light lager.

7030a. Would it be well to encourage the substitution of light wine and lager beer for stronger beer and whisky, by the imposition of heavier duties on the latter kind of liquors, and lightening the duty on light wine and beer?—I do not really know what the duties are.

7031a. Do you think it would be in the interest of temperance to popularize if possible, these light wines and lager, and try to get them to take the place of whisky and of stronger beer?—I think the temperance cause would be favoured by encouraging these lighter drinks. I think it is due to drinking the lighter beverages that so few of those who use them are drunkards.

7032a. There is no difficulty of course on the part of any citizen in procuring this lager beer?—I think they sell it over the bar, and in the town of Waterloo and other towns, I think, it is sold by the dozen pint bottles, and supplied to the homes.

7033a. What is the effect upon the human system of drinking lager and strong beer? Is it more or less injurious than drinking whisky?—It seems to me it is the alcohol that does the injury, if there is any injury done, consequently a beer having less alcohol would be certainly less injurious.

7034a. It has been given in testimony to the Commission that drinking beer has a disastrous effect upon the kidneys, and promotes Bright's disease and so on; while drinking whisky has not anything like such injurious effects, in other words, that whisky drinkers live longer than beer drinkers. What is your opinion regarding that?—From my own personal experience, I could hardly answer that question properly.

By Judge McDonald:

7035a. Has there been a reduction in the number of licenses in this town during the past two years?—I think there is one hotel less.

7036a. Does your Municipal Council put any special tax upon taverns?—Yes, I will read the by-law which imposed that tax. It was passed February 6th, 1893, and is signed by myself:

By-law No. 488, to fix the dues or fees upon tavern or shop licenses, and for other purposes:

Whereas it is deemed expedient and necessary under the Revised Statutes of Ontario, 1887, Chapter 194, Section 42, to pass a by-law regarding certain duties to be paid wholly for the use of the municipality of the town of Berlin, for tavern or shop licenses in the town of Berlin, over and above all duties or fees paying to the Province of Ontario for such license;

Be it therefore enacted by the corporation of the town of Berlin, by the Municipal Council thereof in council duly convened and assembled, and it is hereby enacted, that the following duties or fees are hereby required to be paid for tavern or shop licenses within the town of Berlin, wholly for the use of the municipality of the said town of Berlin, over and above and in addition to all the dues or fees payable for such licenses to the Province of Ontario, namely:

For tavern licenses the sum of.....	\$65
For shop licenses the sum of.....	25

7037a. The Province pays you back a portion of what is collected for the Provincial license?—I think the share of the North Waterloo district, from the Province, is about \$1300.

7038a. Do you know whether there are many total abstainers in Berlin?—I think there are quite a number of total abstainers.

7039a. Does the treating system prevail to any extent?—It does prevail to some extent.

7040a. With what kind of liquor?—Beer is the general beverage.

By Mr. Clarke :

7041a. Lager seems to be the staple beverage here?—I think if any man offered to treat a crowd, unless he specified the liquor himself, they would all ask for lager.

7042a. What amount did you receive in licenses last year?—In 1892, it was \$1,008; in 1893, \$1,316.36. This is what we get from the License Commissioners.

7043a. How much do you get from your own by-law?—I could not say whether anything has yet been collected under it.

7044a. What is your rate of taxation?—Fourteen mills. That includes everything.

By Judge McDonald :

7045a. Have you any special debt upon your town for bonuses?—Yes, but that rate of taxation covers all that. It provides for a sinking fund and everything we have to meet. I think there is a very small taxation for the separate schools.

A. J. BREWSTER, of Hespeler, Town Clerk, on being duly sworn, deposed as follows:—

By Judge McDonald :

7046a. How long have you resided in Hespeler?—About thirty-five years.

7047a. Do you carry on any other occupation?—I am conveyancer, and have been clerk since 1870, and treasurer for the last two years.

7048a. What is the population of Hespeler?—About 2,000.

7049a. What kind of a community have you there?—A manufacturing community, woollen mills and things of that kind.

7050a. How do they rank as being a law-abiding and orderly community?—Our people are very orderly, and will compare favourably with other places, so far as I know.

7051a. Are the men who work in these factories mostly Canadians, or are they made up of other nationalities?—The majority are Canadians. We have a sprinkling of English that are imported to run certain parts of the woollen mills.

7052a. Have you any connection yourself with these woollen mills?—Not at all.

7053a. So far as you can speak from observation as a citizen, what are the habits of the people employed in those works?—They are sober. Our manufacturers are very particular, they would not have anybody else.

7054a. How many hotels have you in Hespeler?—There are two hotels, but no other licenses of any kind.

7055a. Have you a brewery there?—Neither a brewery nor a distillery.

7056a. What is your rate of taxation?—Twelve and one-half mills on the dollar, that covers everything.

7057a. Can you say from observation what kind of liquor is mostly used for beverage purposes?—Lager beer.

7058a. Is there much poverty in that community?—None at all that I am aware of. They are a very thrifty people. Any person acquainted with manufacturing industries knows that these woollen men are very thrifty people.

7059a. Would you yourself favour the enactment of a prohibitory law, prohibiting the manufacture, importation and sale of liquor for beverage purposes?—Not unless it was enforced.

H. C. LACKNER, M.D.

By Mr. Clarke :

7060a. What do you mean by that?—We have not had it in our county, but if it was in force the same as the Scott Act was in force in municipalities where it was adopted, it would be a curse to us.

7061a. How was the Scott Act enforced?—It was not enforced at all.

7062a. Where do you mean?—Wellington, principally. It is not in force there now.

7063a. Will you tell the Commission anything you know regarding its non-enforcement?—They used to drink right along in Guelph, that is all I know. I would not like to see that state of things, I would prefer a license law.

By Judge McDonald :

7064a. Have you many arrests for drunkenness in Hespeler?—The thing is almost unknown, and among our own citizens it is entirely unknown. Sometimes a person comes in from the outside who gets drunk. We have a lock-up, but it is not used.

7065a. In case of the enactment of a prohibitory law, such as has been asked for, to prohibit the importation, manufacture and sale of liquor for beverage purposes, would you favour an exception for liquors to be used for medicinal, mechanical and sacramental purposes?—I have never thought of that at all. I was just passing through, and Mr. Kribs knowing me—Hespeler is his native place—caught me on the fly.

7066a. You have not considered that matter?—Not at all.

7067a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—I never gave that a thought either.

By Mr. Clarke :

7068a. Have you had any experience of the operations of the Scott Act in any other place except the County of Wellington?—No, only as I passed through it. Years ago I know that they used a good deal of liquor in Milton, for instance. I had business there two or three times. I was told that people could get liquor there, but I never had any personal experience.

7069a. Would you favour the enactment of a prohibitory law if it could be enforced? That is another question I am not in a position to answer. I never thought about it.

7070a. Is there much violation of the license law in Hespeler?—No. It is a thing that is hardly known. I could not say whether a hotel-keeper has been fined during the last ten years, but it is a thing that is almost unknown. In our village they just pay the \$120 Government license, and we don't put anything else on them at all. But they have got to keep the law; they have got to close up at eleven o'clock, and on Saturday night at seven o'clock and keep closed all Sunday, if they do not they will certainly pay a fine. There is no other place in that town where a man can get liquor except in those hotels. But they must keep their houses right. If they were to be fined twice the license would be taken away from them, that is, so far as the Council would have power to do it.

7071a. There does not seem to be any difficulty in regulating the traffic under license?—None at all. There used to be more hotels, but they are cut down to two. There was a man that kept a hotel for a while, and they put him out.

7072a. Did the other person violate the law?—Exactly. He was fined once, I think, before he left.

7073a. Has there ever been a prohibitory law submitted in that section?—No.

P. ITIER, of Berlin, on being duly sworn, deposed as follows :—

By Judge McDonald :

7074a. We understand that you have been, until recently, Manager or Superintendent of the House of Industry here?—Yes.

7075a. How long since you gave up that position?—Just a month. I had held it about thirteen and one-half years.

7076a. Your House of Industry has been one of the longest in existence in this Province?—I think it is the oldest in Ontario.

7077a. I believe you not only maintained the poor of your own county, but where arrangements were made for their keeping, you received them from other counties?—Yes, quite a number of them. We used to be pestered with people from other counties.

7078a. During the time you were superintendent, how many inmates did you have in the house?—About 85 on the average.

7079a. What proportion was men and what proportion women?—About one-third were women.

7080a. Was inquiry made as to the habits of those people in reference to the use of liquor, previous to their being received into the home?—I suppose there would be probably 75 per cent who had been people of intemperate habits, and that was the cause of their trouble.

7081a. It was owing to their intemperate habits that they came to the home?—That was the main cause, no doubt about that.

7082a. Were those people mostly advanced in years?—Of all ages.

7083a. What would be the age of the youngest?—There were just about as many young as old people. In fact young people nowadays are really worse than older people, so far as drink is concerned.

7084a. We have been told in many places that there is quite a growth of temperance sentiment and temperance habits in the community?—Well, I could not say that.

7085a. It has not been so with people that came under your notice in the home?—No. Intemperance has brought most of them there. It was the direct or indirect cause.

7086a. I was going to ask you about the indirect cause. Were there some cases of persons who had been brought there by intemperate habits upon the part of relatives?—Yes; I should say about one-fourth of the balance, that is, of those who were not brought there by their own drinking habits.

7087a. Did you have any total abstainers there?—I do not think it.

7088a. I suppose these people, while in the House of Industry, were not permitted to obtain intoxicating liquors to drink as a beverage?—They were prevented from getting it.

7089a. Were any of them when they came in under the influence of drink?—Yes, very often under the influence of liquor.

7090a. Did you have any trouble in breaking off their habits?—Not so much trouble in breaking them off after they are there. They seem to go along quite willingly without it. Occasionally one will crave for it, and probably will do so all his lifetime. It is very hard for old drinkers to lose their craving.

7091a. Are they allowed to go out?—Of course, if they go out they will get drink, no matter whether they have money or not. They will get their drink all right.

7092a. Do they come into town to get it?—Yes, and they frequently get it out there.

7093a. What had been your calling before you went to the House of Industry?—I was a carpenter and contractor.

7094a. As such did you employ men?—Yes.

P. ITIER.

7095a. Did you find your business injuriously affected owing to the intemperate habits of the men?—Not a great deal, because I would not keep a man who took too much.

7096a. Did you ever have to part with men for that reason?—Yes.

7097a. Were you ever troubled with men being thrown off their work through the intemperance of another man upon whom their own work depended?—No, not to my knowledge.

7098a. Then your men were not dependent upon one another?—No.

7099a. Have you had any experience of the working of a prohibitory law?—Not at all. I have never taken any interest in it.

7100a. Did you ever consider the question of the enactment of a prohibitory law?—Not in particular.

7101a. As to the advisability of passing such a law?—I have never given it much consideration.

7102a. Would you wish to express an opinion on the subject?—I do not know as I would on the spur of the moment.

7103a. How is the House of Industry supported?—By a grant from the county.

7104a. Do the people earn anything themselves up there?—Yes, they earn quite a bit.

7105a. Is there a farm in connection?—Yes, 125 acres.

7106a. Were the men able to work on that farm?—There is a number that can do a certain amount of work on the farm. They do all the work with the exception of one hired man.

7107a. What do the women do?—They help around the house inside if they are able. They are mostly old women who are not able to do much.

7108a. As I understand, some of these come there from other counties?—Yes, quite a number of them.

7109a. Was every one of them put to the debit of the County of Waterloo?—No, not exactly.

7110a. What is the system under which people are committed to this House?—They are committed through the Magistrate or reeves or deputy reeves.

7111a. Were the people charged with vagrancy before the Magistrate usually sent there?—No, they would not be sent there, they would be sent to prison. But very often after coming out of prison they came to the poor-house.

7112a. Can you give me any statement from your own recollection as to the cost of maintenance per head in that institution?—It has been about a dollar a week on the average for each inmate, for ten or twelve years.

7113a. From your experience in that House, do you believe that if the manufacture, importation and sales of intoxicating liquor for beverage purposes were done away with, there would be less poverty?—Well, I should not wonder but what there would be at the poor-house.

7114a. Had any of the people who were committed there been charged with crime?—Yes, there was a number of them who had been sent to prison for crime, and who after leaving the House of Refuge, got into prison again.

7115a. It was a House of Refuge for them between times, as it were?—Yes.

7116a. Could you trace the criminality of these people to intemperate habits?—No, I could not exactly.

7117a. We are told that sometimes petty larcenies are committed by persons with a view to get something that they can sell for drink?—I could not say much about that.

J. B. POWELL, of Guelph, Collector of Inland Revenue, on being duly sworn, deposed as follows :—

By Judge McDonald :

7118a. How long have you lived in Guelph?—All my life, nearly.

7119a. How long have you held the position of Collector of Inland Revenue?—Since 1887.

7120a. Have you with you any statistics from your book in the Inland Revenue Office?—Yes, I have statistics covering the years from 1887 to 1892 inclusive, showing the quantity of spirits manufactured in the division, the disposition of them, and the quantity of beer manufactured. I have also the total number of proof gallons on which duty was paid in the division altogether.

7121a. Taken out of bond?—Yes.

7122a. Your district is made up of the counties of Wellington and Waterloo?—Yes.

7123a. Does that include any part of the Scott Act period in Wellington?—Yes. If I had had more time I might have gone back a couple of years and taken in the whole of the Scott Act period, and by the time the Commission goes to Guelph, I may be able to do so. I will now give you the quantity of spirits in proof gallons that were manufactured during the period I have named, each fiscal year ending June 30th :—

Year.	Proof Gallons.
1887-88	312,179
1888-89	280,563
1889-90	273,201
1890-91	254,326
1891-92	263,672
1892-93	276,678

What I have given you just now is the quantity of spirits manufactured. I will now give you a table showing the number of gallons on which duty was paid.

Year.	Gallons.
1887-88	90,449
1888-89	136,878
1889-90	162,508
1890-91	148,987
1891-92	141,890
1892-93	143,063

That was the total number of gallons taken out of bond during those years. Now, the next table shows the quantity of beer produced for each of those years.

Year.	Gallons.
1887-88	1,242,101
1888-89	1,231,361
1889-90	1,274,800
1890-91	1,331,563
1891-92	1,281,720
1892-93	1,286,100

During all those years, with the exception of the last year, there were thirteen breweries in operation in the two counties. Now, there are only ten.

7124a. To what do you attribute the reduction in number?—The reason that has been given to me for the discontinuance of those three breweries, was that they were unable to stand the tax of \$250 which the Ontario Government has imposed upon them. That made \$300 that they had to pay altogether for a license before they could make a dollar, and they were small affairs.

J. B. POWELL.

7125a. Is it malt liquor that is mostly made at those places?—With the exception of two breweries in Guelph, they are all lager beer breweries. One of the Guelph breweries also brews lager beer.

7126a. Did you reside in Guelph at the time the Scott Act was in force there?—Yes.

7127a. It was in force in the City of Guelph as well as in the County of Wellington?—In both.

7128a. As a citizen were you able to observe whether it was enforced or not?—I was able to observe that it was not enforced, not successfully by any means, in the city.

7129a. How was it in the county?—I had not so much experience of it in the county, but I frequently had occasion to notice that there was very scant observance of it in the county.

7130a. Are you in a position to say where these breweries found their market?—No, I am not.

7131a. Do you know whether they sent outside that county?—I am not in a position to say.

By Mr. Clarke :

7132a. Have you any explanation to offer as to how they disposed of the product of their breweries, in what locality?—As to the brewers in the County of Wellington, I am not sure where they found their market, but they went on and apparently prospered during that time.

7133a. You spoke of three breweries which had ceased to do business; did they drop out since the Scott Act or during the Scott Act period?—Just this last year. The Scott Act had nothing at all to do with their going out of business.

By Judge McDonald :

7134a. Was the sale in Guelph at the time you speak of, openly carried on?—Yes, latterly the sale of liquor was very open.

7135a. Did you ever see any drunkenness on the streets?—Yes, lots of it.

7136a. Are you troubled with illicit sales in your district?—No, for the last few years we have had very few.

By Mr. Clarke :

7137a. Was drunkenness less prevalent or more prevalent during the Scott Act period than it was before or since?—I think, from what I could observe in the matter, that there was more drunkenness during the Scott Act period. It was no uncommon thing then to see people under the influence of liquor.

7138a. What is the condition of things now, under license?—There is not nearly as much of it, undoubtedly.

7139a. I suppose the drunkenness during the Scott Act period may be attributable to the fact that the law was practically set at defiance, and was not observed?—It was set at defiance. I know one hotel there that, under the Scott Act, sold on Saturday night openly, kept its doors open after seven o'clock Saturday night, and on Sunday, which is never done now.

7140a. The Commission were in London the other day—you remember the Act was in force in the County of Middlesex, but not in the City of London—and we were told that the partial observance of the Act in Middlesex was due to the fact that the license law being still in force in London, the people came into the city to do their business and bought their liquors there, and this so demoralized trade in the county generally that the people in the county became discouraged and repealed the Act. You had the Scott Act in the City of Guelph; did it have any appreciable effect on business? Was business improved in the city?—No, it was not, because there was a portion of this county which used to feed Guelph, and as soon as the Scott Act came into force, the people ceased to go to Guelph, and came to Berlin or Waterloo. The people about Elmira and Little Germany, and out that way, used to go to Guelph to do their business, but when the Scott Act came into force they ceased doing their business in Guelph and came to places in the County of Waterloo; and the same way in the lower end of the county.

7141a. The figures we have before us show that the Act was carried in the County of Wellington by 1,430 of a majority; and at the end of three years it was repealed by a majority of 1,860. In the City of Guelph there was a majority of 168 for it, in the first place, and it was repealed by a majority of 149. To what do you attribute the revulsion of feeling in the county?—To the utter failure of the Act in all its important features.

7142a. Were there no indications that the Act was doing good work in any locality of the county?—Not that I know of. There used to be a number of cases brought before the Police Magistrate, and occasionally some would be convicted and others acquitted. Then there would be a lull for a time and no more cases brought up.

7143a. I suppose then, it was reasonable to conclude that the non-enforcement of the Act in the counties discouraged the people, and they voted to repeal it?—I think so. I think they were discouraged and disgusted with it.

7144a. You stated you had some further statistics?—I can give further statistics.

7145a. We would like to get statistics showing the comparative quantity manufactured and consumed during the Scott Act period, with the periods before and since, for the County of Wellington?—I have given you here the quantity of spirits that paid duty during that time for both counties. In the County of Wellington during the Scott Act period there were no spirits in bond at all, not a gallon for three years; so that all the spirits that paid duty while the Scott Act was in force in Wellington, paid duty in the County of Waterloo.

By Judge McDonald:

7146a. How many distilleries are there in the district?—Only one.

7147a. When the Scott Act first came into force in Guelph, was it well observed?—It was very well observed at first.

7148a. Were the effects beneficial while it was well observed?—I do not know. It was better observed in this way, that there was not so much open selling at first as there was six months afterwards.

J. S. ANTHES, of Berlin, manufacturer, on being duly sworn, deposed as follows:—

By Judge McDonald:

7149a. How long have you resided here?—About twenty-eight or thirty years. I have been engaged in the furniture business about twenty years.

7150a. How many men do you employ in your business?—An average of about thirty.

7151a. About the same from year to year?—Pretty nearly.

7152a. Have you any among them who are addicted to intemperance?—I do not think we have just now, but we occasionally have some.

7153a. Have you found injury to your business at any time from having such men in your employment?—Yes, and so far it is very annoying.

7154a. Is the work of any of them such that the work of other men depends upon their being in their places?—It does at times. If they are machine hands, it will stop the work of the bench hands.

7155a. So there is a loss in that case?—Yes.

7156a. Have you had any men in your employment addicted to intemperance, whose families have suffered from their intemperate habits?—I suppose they would naturally suffer some.

7157a. Have you had any experience of the operation of a prohibitory law?—I have not.

J. B. POWELL.

7158a. Do you consider it advisable that such a law should be passed for the Dominion, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—It might do good in some instances. But as regards myself, personally I do not know just whether I would be in favour of it or not. I have not formed any opinion on the subject.

7159a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—I suppose they should be.

7160a. How do you find the license law carried out in this town?—So far as I know it is carried out very well.

7161a. You are President of the Board of Trade, I am told?—Yes.

7162a. Are there any particular duties devolving upon you in that capacity in relation to the business affairs of the town?—No more than belong to the Council itself.

7163a. You are spokesman of the business men of the town in any matters that come up?—We have our meetings occasionally, and bring up business matters.

7164a. We understand that frequently there has been a slight reduction in the number of licenses, one place cut off. As a citizen have you any opinion as to whether there are now too many places licensed in Berlin?—I do not know. I do not think we have any too much in proportion to other places.

By Mr. Clarke :

7165a. Would you favour a reduction in the number of licenses still further?—Perhaps it would be desirable.

7166a. Would you favour a reduction in the number from eight to four?—I suppose one half the present number could sell all the liquor that was required in this town.

7167a. That would be sufficient for the hotel business in the way of entertaining travellers, and for the business of the town?—I think four hotels would be able to accommodate the public.

7168a. Do you favour the issuing of licenses to purely drinking places, called saloons?—No, I think saloons would be detrimental.

7169a. Have you ever considered whether it is in the interest of your town that a hotel should be permitted to have a billiard-room?—As for myself, I think billiard rooms are as injurious as hotel bars, and probably more so.

7170a. Then you would favour the separation of billiard-rooms from hotels, and from places where liquor is sold?—Certainly.

By Judge McDonald :

7171a. Have you any licensed place near your factory?—Yes, there is one about two blocks from it.

7172a. Do you wish you had it nearer?—No, it is near enough.

7173a. Do you find it is too near?—I do not know as it makes much difference.

7174a. Is your business affected by it injuriously at all?—No, I do not think so.

7175a. It is sometimes said that where a place of that kind is very near to a factory, it is a temptation to the men to go out and get drink?—Of course, I would not permit our men to go out during working hours; but after working hours it makes very little difference whether the drinking place is a block nearer or further.

BENJAMIN DEVITT, of Waterloo, License Inspector, on being duly sworn, deposed as follows :

By Judge McDonald :

7176a. How long have you resided in Waterloo ?—Ever since I was born, nearly. Waterloo is about two miles from Berlin.

7177a. How long have you held the position of License Inspector for this electoral district ?—Three or four years.

7178a. Is it your duty to inspect taverns and houses of public entertainment, and so on ?—Yes.

7179a. Do you make a report to the Board of Commissioners, before licenses are granted ?—Yes.

7180a. Taking your district as a whole, do you find that those who are licensed carry out faithfully the requirements of the law ?—I cannot say as they do altogether.

7181a. In what way do they not ?—They occasionally have to be fined.

7182a. For what ?—Selling during prohibited hours.

7183a. On Saturday night, and Sundays ?—Yes, and sometimes keeping their places open after eleven o'clock at night during the week.

7184a. Have you had any experience of the working of a license law elsewhere ?—I have not.

7185a. You do not speak then by comparison as to how the law is observed ?—I can only speak according to the reports I get from the Government.

7186a. Speaking from the Government returns that you get, how do you find your district stands ?—I think my district stands very favourably.

7187a. What class of liquor is usually sold for beverage purposes in your district ?—Principally lager beer.

7188a. In going about the country in the discharge of your duties, or as a citizen, do you see much drunkenness ?—Not so very much, I must say that.

7189a. You say you were born in this district ?—Yes.

7190a. Taking your experience during those years, have you found that the habits of the people in respect to temperance have improved from year to year ?—I think they have improved a great deal within the last five years.

7191a. To what do you attribute that improvement ?—Well, I cannot say, myself, why it is.

7192a. Has there, within that time, been any change in the beverage that they use ? Was it always lager ?—I think it was principally lager all the time, although there was more whisky sold formerly than there is now. But lager seems to be the beverage just now.

7193a. Have you noticed whether this change in the habits of the people has taken place since they began to use lager as a beverage more generally ?—I do not think that. I think that people are finding that it is better not to drink so much. I think that is the case, in a great many instances, in this county.

7194a. Do you find that the influences of religious bodies, of temperance societies and of schools are all tending that way ?—They are all tending that way.

7195a. Do you have any difficulty in proving your cases when you bring charges against people for breaches of the law ?—I never had. Of course, I do not lay any case unless I have a certain thing.

7196a. In that case, do they generally plead guilty ?—Nearly always. I do not think I had more than two trials in my whole experience where the cases were defended.

7197-8a. Do you think the penalties provided by law now are sufficiently severe ?—If they were carried out according to law, I think they are. If cases are laid in first, second and third offences, as the law requires, I think the penalties are sufficiently severe.

7199a. From your experience, are there any changes in the law which you deem it advisable to recommend ?—The principal change I would like to see is a law to stop the treating system.

BENJAMIN DEVITT.

7200a. You would like to have that made a part of the license law?—I think if treating was stopped, it would remedy a great evil. I know there are a great many people in this district who would like to see that, people who drink themselves to a certain extent.

7201a. How many licensed places are there in Waterloo?—Seven tavern licenses.

7202a. Have they all the requirements for travellers?—Yes.

7203a. Do you think that is a larger number than is needed for the accommodation of the public?—Yes, they do not require that many.

7204a. How many would be required for the travelling public?—I think three would be enough.

7205a. That being the case, there are four that could be dispensed with?—I think three would do all the business.

7206a. How do you account for having so many?—I found them there when I commenced. I said there were too many, and some people found fault, they thought they would lose their licenses. They had an idea I was a little severe, but I said I did not want to deprive any of them of their licenses as long as they kept the law. I said I would report them exactly as I found them, and if they did not keep the law I would so report them, and then the offenders would have to lose their licenses. I told them they need not fear if they kept the law, because they were complaining that they would have to lose so much money if their licenses were taken away, that their property would be reduced in value.

7207a. Have there been any changes in that town since you took the Inspectorship?—Yes, I think there has been one increase since.

7208a. Did you recommend that increase?—I recommended it in so far as the public required it. Of course, I generally listen to what the public say, but I did not want it.

7209a. You have told us that a smaller number would answer the purpose, and you now have seven. Well, you had six all the time, and you recommended the increase I suppose?—Well that is the way they do it in all cases.

7210a. Was it because you did not like to refuse the man?—No, not at all. I don't think I could have prevented it if I had desired, because the town and the public were generally in favour of it. It was a new house and a good house, as good a house as is in the place. They thought he ought to have a license, therefore it was recommended.

7211a. Did anybody else come in since you became Inspector?—Yes, but not in Waterloo.

7212a. What did you think as to the number in Berlin?—I think they could do with less also. They have only one more, and the population is over twice as many as ours. But there is one less here now than there used to be.

7213a. What is the population of Waterloo?—A little over 2,000.

7214a. Then how do you find it in the rural districts? Do you find too many there?—I think there are a great many more than are required.

7215a. I suppose there is so much railroad travel now that there is not the same necessity for a roadside hotel that there used to be?—The railroad does not affect many here.

7216a. Is there the same amount of travel over highways that there used to be?—Not nearly.

7217a. So there is not the same necessity for roadside hotels that used to exist in former years?—I do not think that a tavern is necessary every three or four miles.

7218a. Have you got them as frequently as that?—Yes, we have. We have them right out from Berlin three miles from here, two miles to the east, and three miles and a half to the west, there are taverns.

7219a. Do the people petition to have these places continued?—They do not petition at all.

7220a. Then do the Board of Commissioners consider it well to retain this number?—Well, the Commissioners do not want to take a license away if they think it is likely to do harm to the man.

7221a. Since you came in as Inspector, have some people who were in the business given up, or died, or gone away?—Some of them have probably.

7222a. Have other licenses been granted in their place?—Some license holders have been selling out to other men between times.

7223a. Have the public petitioned against so many?—The public never petitioned either one way or the other, except in town here.

7224a. Which way did they petition here?—The last two license seasons they petitioned against having an additional one here.

7225a. Then the people in the district as a whole accept the situation, they don't interfere one way or the other?—They don't seem to mind at all, they all seem to be satisfied in this district.

7226a. Is there any statement you would like to make, yourself, in regard to the working of this law?—I would just as soon see the number reduced considerably in this district, because I am satisfied there are some of them who hardly make a living.

7227a. Would you have a change made in the law stating how the number should be regulated? There is already power to reduce them here?—Yes.

7228a. Now, would you have a change made in the law regulating the number?—I would like to see a law made that there should be a reduction of so many every year for the next five years, and if they wanted prohibition then put them all away.

7229a. During the time you have been Inspector, can you state how many cases you have had, on the average, for violation of the license law?—I became Inspector in June, 1888. During the succeeding year there were 67 convictions. There were three convictions from the 1st of May to the 3rd of June by my predecessor, and the remainder were all my own convictions from that time until the 1st May, 1889.

7230a. How does the next year stand?—The next year I had 35 convictions; the next year 15, and in 1892 I had 17. During the last year I have had 15.

7231a. Were any of these convictions for second or third offences?—Yes, second offences.

7232a. Any thirds?—No thirds.

7233a. Were there many for second offences, speaking from memory?—No, there have not been many, probably four or five, or six.

7234a. Have you considered at all the question of the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of intoxicating liquor for beverage purposes?—I have thought of it some.

7235a. Would you favour the enactment of such a law?—I think it would be a good thing for a great many people. I think I would be in favour of it.

7236a. In case of the enactment of such a law, would you except from its provisions liquors for mechanical, medicinal and sacramental purposes?—I would for mechanical and medicinal purposes, but I do not think that people need it very much for sacramental purposes. They do not use fermented wine a great deal for that purpose now.

7237a. Do you not find that there are some communions that do not use anything else?—I think there are quite a number of churches that use unfermented liquor altogether.

7238a. And you think the rest of them should?—Just as well.

7239a. Then those liquors that are required for medicinal and mechanical purposes, would you have them manufactured by the Government or imported?—I would have the Government manufacture it and see after it altogether.

7240a. In case of the enactment of a prohibitory law, would you favour remuneration to brewers and distillers for the loss of their plant and machinery rendered useless?—I do not know that I would, I do not see why they should be. It might be well to remunerate them in part, but I do not think it would be advisable to do so for the whole amount.

7241a. Have you reason to believe that in your license district adulterated liquor is sold to any extent?—I think that is the case all the time as regards whisky, brandy and such things.

7242a. As long as the traffic in these things is permitted, would you favour a more frequent inspection of them than is now made?—I think there are some cases where it would be desirable. People often complain to me that there is too much water in the whisky, although I think that the more water they put in, the better for those who drink it, it would not hurt them so much.

BENJAMIN DEVITT.

7243a. Are you yourself a total abstainer?—I do not drink anything.

7244a. Do you know whether the adulteration that takes place in the whiskies and brandies is of a bad character?—I have often heard it is poisonous.

7245a. We have been told in some cases that sort of thing is done?—I have no doubt it is the case.

7246a. Have you reason to believe that lager beer is adulterated?—I cannot say. I have not tasted it in twenty-two years.

7246½a. Is there any further statement you would like to make yourself?—I would like to see some better way of stopping those drunkards that have families, for their families have to suffer too much.

By Mr. Clarke :

7247a. Do you think the present method of treatment is beneficial to them, sending them down to jail for ten, fifteen or twenty days at a time?—Yes, and I think that those people who give it to them ought to go to jail. I have notified people not to give it to them, and they give it to them nevertheless. That is often the case.

7248a. I am speaking about the method of punishing people who are convicted of drunkenness. Do you think the present method of dealing with them produces any permanent beneficial result?—It does not do any good at all.

7249a. Would you favour the establishment of sanitariums and hospitals where they could be treated as for a disease?—Yes, anything of that kind. Send them to prison for a year or two, and make them work.

7250a. Would you favour the establishment of institutions where they would be specially treated, while at the same time they would have to work?—Yes, I would favour that. A short residence, of a month or two, would not do them much good. When I notify the hotel-keepers not to give them anything to drink, these people abuse me right on the street.

7251a. The very persons you are trying to protect?—Yes, that is often the case, and there are more of them in this district than in any district in the Province. I notify hotel keepers not to give certain people anything to drink.

By Judge McDonald :

7252a. Is this done at the instance of the relatives?—Always. I have had other instances where people have requested me to send notification, and I had no right to do it.

7253a. How do you find people in this section of the country as to sobriety, take them as a whole?—As a whole, I do not think you will find a more sober community in the Province.

7254a. In what business have you been engaged yourself?—I have been in the mercantile business for twelve years.

7255a. Have you observed in your business whether the liquor traffic had any effect upon business interests?—It has in some cases, I think.

7256a. What effect does it have?—Well, there are probably some of those parties who take too much, they spend their money for liquor and leave their debts unpaid. That is what I find.

7257a. Have you any poverty in Waterloo?—No, I cannot say that; very few families in want.

7258a. Have you noticed whether any portion of such poverty as there is, is traceable to intemperate habits on the part of the people themselves?—I believe most of it is.

7259a. You have spoken of the notices you have given to hotel keepers at the instance of relatives. Did you say that the persons to whom you forbade the hotel keepers to sell liquor, have abused you for giving them notices?—Yes.

7260a. How did you find those notices observed?—Fairly well. Of course they did it in a sly way. I am satisfied of that.

7261a. To what extent, so far as your personal knowledge goes?—I fined some of them for it. But the drinkers get it in a sly way through other people. They send in somebody else to buy.

7262a. Have you any Indians about here?—They come here during the fall, but do not reside here. We are not troubled with them.

7263a. How about minors and children?—There is not much trouble about them.

I. D. BOWMAN, of Berlin, Town Clerk, on being duly sworn, deposed as follows:—

By Judge McDonald:

7264a. How long have you held the position of Town Clerk?—Twenty-one years. I have a statement, prepared by the Treasurer, of the receipts for licenses. It is called the Treasurer's Statement of the amounts received by the Treasurer of the town of Berlin from B. Devitt, Esq., Inspector of Licenses, for selling intoxicating liquors, for the years from 1888 to 1893 inclusive.

Year.	License fees.
1888.....	\$1,118 70
1889.....	1,175 72
1890.....	1,142 05
1891.....	1,116 58
1892.....	1,008 37
1893.....	1,316 36

This is signed by the Treasurer.

7265a. Do you act as Clerk of the Police Court?—No, I have not so acted for at least fifteen years. We have no regular Police Court.

7266a. The court sits as cases arise?—Yes, mostly by a Magistrate in town. The Mayor, as a rule, does not take up cases.

7267a. Have you had any experience of the working of a prohibitory law?—None whatever.

7268a. Do you favour the enactment of such a law for Canada, preventing the manufacture, importation and sale of intoxicating liquors for beverage purposes?—As soon as people are ready for it, I think it would be a good law, if it could be enforced; but until a great majority of the people favour it, I think it will be a mistake to pass such a law.

7269a. In case of the enactment of such a law, would you except from its provisions liquor for manufacturing, medicinal and sacramental purposes?—Yes.

7270a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be compensated for the loss of their plant and machinery rendered useless?—Well, I think not. I think it is just like any other business. They have to run some risk. If there is a change in the fashion, and they get no license, they have to run that risk the same as any others.

7271a. In case of the enactment of such a law, have you considered how the revenue would be made up to the Dominion, Provinces and municipalities?—I have not thought about that much. We get quite a little revenue of course from the liquor traffic, but I dare say it causes us a great deal of expense in the way of keeping up all sorts of institutions.

7272a. In case of the Dominion we are told the loss to the revenue would amount to six or seven million dollars; in the case of the Province, I think, some hundreds of thousands of dollars; and in the case of your own municipality you have the figures yourself?—We receive about \$1,100, and about \$600 of that goes towards the support of the county poor house.

7273a. Is your town separated from the county for municipal purposes, or have you a reeve in the County Council?—No, we are united with the county. We have four representatives at the County Council. Yes, about \$600 a year is what we give towards the support of our House of Industry and Refuge. We pay a trifle over one-tenth of the whole county tax.

7274a. Have you been engaged in any business occupation or employment other than being Town Clerk?—Not for a long time. I am County Treasurer, too, and a few things of that kind.

7275a. Have you within the last few years noticed a change in the habits of the people tending towards temperance?—I think there is more interest taken in that sort of

I. D. BOWMAN.

thing of late. But as some of the witnesses have said, I think we are a very temperate people in this county. There is not so much drunkenness as you will find in some other counties, especially in the north riding where the beverage is principally beer. We have but very few drinkers, in this town at least. I do not think you could pick out ten in Berlin—I know the people very well—that could be called drunkards.

7276a. Are there any others who drink to excess?—I would make no difference between them. I do not think there are exceeding ten in this town that are drunkards, or drink to excess.

7277a. Speaking from your observation as a citizen and as a member of the community, do you believe that any large proportion of the poverty and of the crime is attributable to intemperance?—I think most of the poverty is attributable to intemperance.

7278a. Do you wish to make any statement yourself on this subject?—I have a subpoena to attend as County Treasurer. I have nothing further to add.

7279a. I think you said you never had any experience of the working of a prohibitory law?—No.

7280a. Do you personally favour a prohibitory law?—Yes, as soon as the sentiment of the country is in favour of it.

7281a. How do you propose to ascertain that sentiment?—I think a good plan would be something like what the Ontario Government is trying.

7282a. And if you found that the sentiment as expressed in that vote was favourable to it, then you would go in for prohibition?—If it was largely in favour. I would not say just a bare majority, but a large vote.

7283a. Over what area of territory would you pass that law?—I should say the whole Dominion.

7284a. Then you would take a vote in the whole Dominion?—Yes, certainly.

7285a. Supposing that in the Provinces of Quebec and British Columbia a majority was given against such a law, and a majority in favour of it in the other Provinces, would you favour the enactment of the law for those Provinces that are opposed to it?—I think we might except British Columbia, away at the other end of the Dominion.

7286a. How about the Province of Quebec?—I think it ought to be included.

7287a. You think that if the Maritime Provinces on the one side, and Ontario on the other, gave a majority for prohibition, though Quebec gave a majority against it, that Quebec must come into the arrangement?—I think so, that would be my idea.

7288a. Did you ever think of it in this way, that when the Counties of Wellington, Oxford, and other counties around you, voted in favour of prohibition under the Scott Act, it would have been wise to include Waterloo in the general vote, and have put the Scott Act in force here?—Well, the larger they make the territory, the better.

7289a. Would you favour the submission of the Scott Act in this county?—No, I think not, from the experience we have had in other counties.

7290a. What is that experience?—Well, it does not seem to have worked very well, judging from accounts. I have never been in a Scott Act county, and never had experience of such a law personally.

7291a. You are both City Clerk and County Treasurer; what figures did you put in as County Treasurer?—I have no figures. We have no receipts and no expenditure on account of liquor.

7292a. His Worship the Mayor told us that there has been a new by-law passed, under which each tavern now pays \$65?—Yes.

7293a. Is that included in this statement?—Yes, the last year.

7294a. That is why the receipts increased from \$1,080 to \$1,316?—Yes.

W. H. BOWLBY, of Waterloo, County Crown Attorney, on being duly sworn, deposed as follows:—

By Judge McDonald:

7295a. You are County Crown Attorney and Clerk of the Peace for the County of Waterloo?—Yes.

7296a. How long have you held those petitions?—About twenty-six years.

7297a. During all that time you have been a resident of this county?—Yes, I have practiced law in this county for over thirty-five years.

7298a. You conduct the prosecutions before the courts of General Sessions of the Peace, and the County Judge's Criminal Court?—Yes.

7299a. Do you ever take charge of cases under the license law?—Yes, I appear for the prosecution in those cases.

7300a. Have you much crime in this county?—Considering the population, comparatively little. It is one of the most populous counties for its area.

7301a. Speaking from your own observation during the years you have been Crown Prosecutor, have you noticed any proportion of the crime can be traced to intemperate habits on the part of people charged with crime?—I do not think it can be said to be the case at all. I have known occasionally young fellows to go on a bit of a spree once in a great while, but it is very rare.

7302a. Have you seen cases where a person would commit some petty larceny with a view to getting means to buy drink?—I do not know any cases of that kind. You sent a letter to the Clerk of the Police Court, and as there is none here, they thought it was the Clerk of the Peace and handed the summons over to me. The Commission asked in the summons for statistics of the drunks and disorderlies that were brought before the court. As Clerk of the Peace I receive all the returns from all the Magistrates in this county, and I have collated them.

7303a. Have you any cases of assault and battery to deal with?—Yes, a few; they are generally dealt with summarily by the Magistrate. Very seldom we get an aggravated or serious assault case.

7304a. Can you say that any of those cases can be traced to drunkenness?—I do not think so, I cannot recall any instance now.

7305a. Now, you may give us your statistics?—They are very brief. I was surprised at the result. I knew we were a temperate community, but I did not know we were so much so. In the year 1888, there were only three convictions for being drunk and disorderly in this town. In the four following years there was not a single case; and in the present year there has been only one, and we are in the third quarter. I want to say to you that there is a very strong anti-temperance feeling in this town and the neighbouring town, and in this large population there are very few strictly total abstainers. The population of these two towns, which adjoin one another, is about 10,000.

7306a. When you say anti-temperance, you do not mean opposed to temperance?—I mean they are not total abstainers. I hope everybody is favourable to temperance. Mr. Bowman, the last witness, spoke of the number of drunks and the people who drink to excess in this town. He and I were discussing this thing and we were trying to think it out. We have both been here over thirty-five years—I think he was born in this neighbourhood. We tried to think out those who do abuse the use of intoxicating liquor, and we could not figure ten in the towns of Berlin and Waterloo, where there are 10,000 people. We have not got ten men in them, I can say to my certain knowledge, who abuse the use of intoxicating liquors. Now, because these ten men, abuse the use of liquor, and ought to be confined in a sanitarium, that the other 9,990 should be prevented by law from using liquor for the sake of these ten men seems to me an unreasonable proposition. The greatest good to the greatest number.

7307a. Then instead of shutting away the liquor as a beverage from the community you would shut these men away from it?—Yes. There are really not five that ought to be taken care of.

W. H. BOWLBY.

7308a. Have you noticed what liquor is mostly used as a beverage?—Where the population is so largely German as it is here, the beverage is mostly beer, as it is in Germany. You may travel in Germany for years and not see a single case of drunkenness. I spent nine months in the city of Dresden, and I did not see a man drunk, and they all drink beer without exception; they all drink beer and light wine, very little spirits is consumed in that country.

7309a. It has been suggested to us in some places that it would be in the interest of temperance to encourage the use of light wines and beer by reduced duties upon them, and by increased duty upon stronger liquors. What do you think of that?—That is a question more for the revenue, I suppose. The duty now on spirits is much higher than it is in the States; and if you increased it far beyond what it is in the States, it would lead to smuggling.

7310a. It has been put forward that it would be in the interest of temperance to favour the use of light wines and ale by making the cost of them less, and by putting a heavier duty upon the stronger liquors?—That was Sir A. T. Galt's plan many years ago. I do not think foreign wines would ever be consumed to any extent in this country.

7311a. Do you know anything of the native wines that are manufactured in Western Ontario?—We do not drink them. We find them largely fortified with spirits, they are not much used here. The drink of the country here is beer and whisky.

7312a. Do you favour the enactment of a prohibitory law for the whole Dominion, preventing the manufacture, importation and sales?—I think you might infer, from what I have said about prohibition in the interest of these five or ten men that ought to be taken care of rather than that 9,990 should be coerced, that I am not in favour of any of these sumptuary laws; I do not believe in them at all.

7313a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their loss of plant and machinery rendered useless?—It is almost an insult to anybody to ask such a question. Would you rob a man of property without paying him for it.

7314a. We have found already a witness who thinks they should not be compensated?—Upon what principle would they take away a man's property under British justice and not pay him for it.

7315a. You think there should be remuneration?—Most certainly, not only remuneration for his plant, but for the good will of his business.

By Mr. Clarke:

7316a. What is your experience as to the results that follow from the imprisonment of drunks for ten, fifteen or twenty days at a time? Do you think it is permanently beneficial?—I could not say, we have had so little of it. We have had some come from Galt here to get liquor. Imprisonment enables men to sober up, but they get drunk again on coming out.

7317a. There is no permanent beneficial effect from that treatment?—None.

7318a. Would you favour longer sentences, or commitment to institutions where they would be specially treated?—That would strike me as more proper in the case of a man who was unable to control his own appetite.

7319a. Now, regarding saloon licenses, do you favour them?—That is a question I have not studied. I was in the Southern States this last winter, and I found that in one city, Ashville, North Carolina, the saloons paid \$1,200 a year, or \$100 a month, for license. A gentleman told me they had reduced the saloons to only three or four, and made them very respectable, and they were well managed. It seems to me that high license imposed in moderation ought to tend to make the trade respectable and keep it in good hands. That is a method that ought to be well considered. If you put the license in good hands, men will not sell liquor to minors or to known inebriates, you do a great deal towards temperance. It strikes me it is one of the best plans that can be tried.

7320a. It is held by a great many that the trade ought to be made as disreputable as possible, so that the public would become so disgusted as to rise up and stamp it out. They think it would not be advisable to have the trade respectable?—That is a strange view to take of it.

7321a. What do you think of giving permission to hotel and saloon keepers to have billiard tables in their premises? Would you separate them?—I would separate them more for this reason, that where young people play billiards they might become addicted to drink. I think there is a regulation in this town now that they shall be kept separate.

7322a. You think it would be well if that regulation were general?—Yes.

7323a. From your experience as a citizen through the years that you have been a resident of this county, have you noticed whether there has been any change in the habit of the people tending towards temperance?—I do not think there has been any change here. Those few who are strong advocates of temperance, or total abstainers, I should say become more pronounced, but I do not think they have increased in numbers, they may be more active.

7324a. Have you noticed that there is less use of intoxicating beverages at hotel tables, steamboat tables and so on?—Well, when you go back 35 years ago, it was a common custom, unfortunately, when anybody called to offer them cherry wine, but that fashion has gone out.

REV. WILLIAM KLOEPFER, of Berlin, on being duly sworn, deposed as follows:—

By Judge McDonald:

7325a. How long have you resided in Berlin?—I lived here in my youth, and for the last 14 years I have been here as a priest.

7326a. Have you observed whether in families any appreciable degree of suffering and distress is caused from intemperance?—Yes, perhaps in two or three cases in my congregation.

7327a. Do you find much poverty to exist among them which could be traced at all to intemperance?—I think in one or two cases.

7328a. The question was asked a witness here who was favourable to the enactment of a prohibitory law, whether he would favour the exception of liquor required for sacramental purposes, and the answer was that a good many religious bodies got along without fermented wine, and he thought all could. I would like to learn from you the position of your church upon that subject?—We only use fermented wine.

7329a. Do you call it wine unless it is fermented?—I do not think that unfermented liquor is wine.

7330a. Would you favour the enactment of a law that would prevent your having wine for that purpose?—By no means.

7331a. Would you favour the enactment of a prohibitory law for the whole Dominion, prohibiting the manufacture, importation and sale?—I have not much confidence in such a law.

7332a. In case such a law were enacted, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—Yes, I think so, because they procured all those things under the law, and I think they ought to have some remuneration for them.

7333a. How do you find the license law works in this community, so far as your observation goes, either as a clergyman or as a citizen?—I think in general it works all right. I think it is fairly carried out, so far as I know. There are a few transgressions.

7334a. Are there any suggestions you would like to make yourself in regard to the liquor traffic, or any matters arising out of it?—The only suggestion I have is this, that I do not think prohibition will remove the evil.

7335a. Have you had any experience of the working of a prohibitory law?—None

W. H. BOWLBY.

7336a. You fear it would not remove the evils that result from intemperance?—I do not think so.

7337a. Have you yourself noticed that owing to religious and other influences, there has been a growth of temperance sentiment and temperance habits in the community during the last five years?—Perhaps so, in some cases. Nearly all our people make use of beer.

7338a. Do they make use of it to an extent to be hurtful?—As I said, there might be three or four who use it to excess.

7339a. And the others, you think, receive no injury from it?—No.

P. E. W. MOYER, of Berlin, on being duly sworn, deposed as follows:—

By Judge McDonald:

7340a. How long have you resided here?—I was born in this county, but I have been out of it some fifteen years.

7341a. Of what paper are you editor?—The *Daily News*.

7342a. Speaking as a citizen, how do you find the license law carried out?—So far as the license law is concerned, I cannot tell, because I am never where liquor is sold.

7343a. Do you observe drunkenness on the street to any extent?—No.

7344a. Taking the people as a whole, do you find them a law-abiding and sober people?—Yes, a very temperate people so far as appearance goes.

7345a. Are you yourself favourable to the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale for beverage purposes?—Yes.

7346a. Would you, in such a case, except liquor for mechanical, medicinal and sacramental purposes?—I would.

7347a. In such a case, would you commit the manufacture to the Government or to private enterprise?—I could not say. That is a subject I have not studied.

7348a. Do you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—I have always thought they ought to be, for they have established their business under the law of the country. They are just as legitimate in their business under the law as I am in mine, and I would not like to have the law come around and drive me out of it any more than they would.

7349a. Take the case of people who are committed for drunkenness for short terms from time to time in cities and large towns, would you deem it better to continue that system or to adopt a system by which such persons should be put under restraint for a longer time?—I think, judging from the experience of many years in dealing with them in that way, that something else should be undertaken in their case, because I certainly see no good in sending men down for a few days when those who suffer most from such punishments are the families that are left behind. If there was no other way to meet the case, I would adopt the suggestion of Mr. Devett and send to jail the men who sell the liquor to these poor creatures.

7350a. Have you observed whether the business interests of the community as a whole are affected to any extent by the liquor traffic, and if so in what way?—I could not say from my own experience.

7351a. Have you observed whether business is affected in any way, injuriously or otherwise, in this community?—I could not say from my own experience, or from what I hear, that business generally is affected in this town by the drinking usages particularly. Of course we all have theories, I might give you a theory whereby I could show you from my point of view that such was the case.

7352a. We would be glad to have any statement from you?—Well, I imagine that people who spend their money for liquor, which is useless to their own personal or phy-

sical comfort and well-being, would do better by spending that money in buying bread and clothing for their families.

By Mr. Clarke :

7353a. You might say the same of tobacco?—I would say the same with tobacco.

7354a. Would you go for prohibiting the use of tobacco?—If I could, I would.

7355a. What is the best means to be adopted, in your own opinion, to minimize the evil effects that flow from the excessive use of drink?—That is a hard question to answer, I really could not tell. Of course I shall vote for the plebiscite. I thought that the Ontario Legislature did not do right when they brought that before us, in place of adopting the bill which was introduced into the Legislature.

7356a. Would you include in your prohibition the importation by private citizens of liquor for their own use?—That is a part of the question that I have not studied. My principle is that the prevention of the public sale is the way to remedy the evil. What we want is to stop our boys from going into saloons and taverns and getting liquor, and if the public sale over the bar was stopped, I would take my chances as to importation by private individuals.

7357a. You know, of course, that the prohibitory law which exists in some States of the United States does not prohibit importation for family use?—Well, I understand that sometimes it is abused.

7358a. What you aim at is to suppress the public sale?—The public sale where temptations are thrown out to the young.

7359a. Then you would be in favour of devising some plan of abolishing this treating system?—Certainly, I think that would be the first step.

7360a. I suppose you would favour the separation of the sale of liquor from billiard rooms and bagatelle tables?—Yes.

7361a. Would you favour giving licenses to saloons and drinking places pure and simple?—Not by any means.

7362a. I suppose you would favour a still further reduction in the number of licenses in proportion to the population?—Yes, I would favour high license. I do not agree with those temperance people who fear that high license might make the business respectable. I think if men want to go into that kind of business they ought to pay pretty dearly for it. That has been my opinion for years.

7363a. What is your view with regard to making the trade respectable? It is said by some witnesses that it will prolong the existence of the trade if you make it respectable?—That question has been put to me, but I cannot give an answer.

By Judge McDonald :

7364a. Have you observed the effect of the liquor traffic upon the morals, and social and financial interests of the people, outside of Berlin?—Yes.

7365a. What do you say as to that?—I have seen a very large amount of evil produced by drinking customs in other communities, in places where I have lived, St. Catharines, Cobourg and other towns.

7366a. In what way do these effects show themselves?—Drunken men abusing their families, families going about starving and begging, in the most terrible condition.

7367a. Have you reason to believe that the license system has been effective in suppressing or modifying in any way the evils of intemperance?—I think every additional tavern in the town is an additional temptation, and a circle of influence to draw people into temptation.

7368a. Do you approve of the reduction that has taken place here?—I certainly approve of that. I think I can remember back 30 years ago when we had a little town here of some 1,500 inhabitants, and 15 or 18 taverns, perhaps more. Of course every one of these was exerting an influence and the young were drawn in. I think the fewer temptations of that kind the better.

7369a. Do you find there has been an increase of temperance sentiment and temperance habits in the community as a whole, during the last few years?—I think there

P. E. W. MOYER.

are a good many more temperance people, that is, people who are total abstainers, in this county.

7370a. The Inspector has told us that there are seven hotels in Waterloo, and that three would be sufficient for the public requirements; and that of the eight in Berlin, he said four would be sufficient. Now, can you, as a journalist and as a citizen, inform us why, if that is the case, so many are continued?—Well, it is the sentiment of the community. With each one of these licensees having his personal friends, when you consider the influences that are brought to bear upon the Commissioners and the Council and all that, it would be as much as a Town Councillors' official life was worth here to move that only four tavern licenses should be issued in this town. He could not possibly be elected at any succeeding election, because the community favours these bars, either from personal feeling or from other motives. That is no doubt the reason why Waterloo keep up its seven taverns.

7370½a. You have spoken of high license, if you were to choose between high license and prohibition, which would be your choice?—I would prefer prohibition, of course, but failing that I would prefer high license to the present system.

REV. GEORGE RICHARDSON, of Berlin, on being duly sworn, deposed as follows:—

By Judge McDonald:

7371a. Of what Church are you a Minister?—The Methodist Church.

7371½a. How long have you resided in Berlin?—Over two years.

7372a. Where did you reside before then?—In the town of Goderich.

7373a. Have you resided in any county where the Scott Act was in force?—I have not resided in any county, but I have been in them. I was one of the promoters of the Scott Act in the County of Halton, but I removed from the county before the election came on. I was there again during the first attempt to repeal, and took part in the agitation.

7374a. Did you live in the county at all while the Act was in force?—No, but I have been in it and am pretty well acquainted.

7375a. During the time you were in it, speaking from your own observation, how did you find things?—I lived in Milton under the license system, and I think the town was much more sober under the Scott Act than under the license system.

7376a. How long were you in Milton during the election campaign?—About a week.

7377a. The Chief Constable of the town of Milton, in giving evidence before us at Hamilton, rather seemed to think the other way; he said, as an official, that he found more drunkenness under the Scott Act than he did under the license law?—I can only speak of what I observed myself. I was well acquainted with Milton for three years before the Scott Act came into force, and I very frequently saw men drunk on the streets. I have often seen three or four young men together drunk on the sidewalk in the afternoon. During the week that I was in Milton, where there was a good deal of excitement prior to the repeal vote, I did not see one drunken person. I may observe further that I knew several habitual drunkards formerly whom I met during my visit there, and found everyone of them sober as a result of the three years operation of the Scott Act. There was a veterinary surgeon who, I think, was drunk nearly every day under the license system, and when I visited Milton the second time under the Scott Act, I met him on the sidewalk one day and he was quite sober. He seemed glad to see me, and I was glad to see him, and I asked him if he was going to help us in the vote for the Scott Act. He said: No. I said: Why?—Well, he said, because there was more liquor sold under the Scott Act than there was before. I said I didn't see it. He said: Because you do not know where to go to see it. Well, I said: Are not my eyes as good as yours? Oh, yes, he said. Then he referred to his own career, and I

said : Now, tell me, were you not drunk about every day for the three years when I was here before ? He said : I guess I was. I said : Why are you not drunk this morning ? Well, he said, when I go down town now nobody asks me to take a glass of whisky. He was perfectly sober then, and was always sober, I think, under the Scott Act regime.

7378a. So far as you could learn, the effects were beneficial in Halton ?—Yes. And further, I called on the jailer, Mr. Van Allan. I had been told that business in that town was ruined, that people were leaving the town, and that many houses were vacant. I said to Mr. Van Allan : Has it ruined your town ? I am told it has : He said : Certainly not ; there is not an empty house in the town except this jail. If you wanted to come here to-morrow, you could not get a house to rent. Old debts are being paid that were almost ignored or given up as lost.

7379a. As one who took part in the contest, how do you account for the repeal of the Act ?—They rejected repeal on the first attempt.

7380a. Had there been any change in the meantime as to the benefits of the Act ?—I have formed an opinion of the reasons leading to the repeal of the Act, and I think it was largely party lines underlying the movement. Still I could not speak from personal knowledge. I might give another instance. It was stated generally that the law did not prohibit. A farmer living out three miles came in one day during the first three years of the Scott Act regime. He thought he would try and find out whether it prohibited or not. After putting his horse in the shed, he told me he went into the hotel and went into the room that used to be occupied as a bar-room, and asked for a glass of whisky. The hotel-keeper told him he did not keep any whisky. The farmer said : Nonsense, yes, you do. Couldn't you give me a glass now ? No, said the hotel-keeper, we are under the Scott Act. After talking a while the hotel-keeper said : If we could trust you, perhaps we could give you some. Well, he said, I won't inform on you. The hotel-keeper said : Come with me. He walked out of that room across the hall into a bedroom in the back part of the house. The hotel-keeper locked the door, lifted up the bed-tick, and pulled out a flask and said : Now, take a horn. And he did so. The farmer told me : I came out of that house feeling that the Scott Act did prohibit.

7381a. You do not know then why it was repealed ?—I have no personal knowledge.

7382a. As a pastor have you observed whether any amount of distress and suffering in families is caused through the liquor traffic ?—Very often. I have often had to relieve families in distress out of the poor fund of our church, who did not belong to our congregation at all, but out of sympathy for suffering women and children.

7383a. We have had placed before us the declaration of the Methodist Church adopted at Montreal by the last General Conference in favour of prohibition ? Do you personally concur in that declaration ?—Yes.

7384a. Do you favour the enactment of a prohibitory law, preventing the manufacture, importation and sale of intoxicating drinks for beverage purposes throughout the Dominion ?—Yes.

7385a. Would you favour an exception in favour of liquor for medicinal, mechanical and sacramental purposes ?—I do not think it is necessary for sacramental purposes. We never use it in our church, at least where I have resided.

7386a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless ?—I think they should not be remunerated, but that they should remunerate the families they have ruined and impoverished.

7387a. Have you considered at all how the revenue requirements of the Dominion, the Provinces and the municipalities would be met ?—My opinion on that point is that if the people employ their money in a legitimate business instead of squandering it on liquor, there would be no trouble about the revenue. A great many people spend their money and get nothing for it, and they have nothing to pay in the shape of taxes. If they spent their money legitimately, they would invest it in property, and buy goods, and trade with it, and in that way I think the revenue would be more than replenished.

REV. GEORGE RICHARDSON.

7388a. Have you observed the workings of the license law in this county?—I have no intimate knowledge of it beyond my observation.

7389a. How do you find it work so far as your own observation goes?—I concur in a statement made here that the people generally are temperate. There is not nearly so much drunkenness here as I saw in Goderich or Milton.

By Mr. Clarke :

7390a. How does Berlin, under license compare with Milton under the Scott Act?—I see very few people drunk here. I have seen a few young men drunk once or twice, but I was informed they did not belong to the town.

7391a. How does it compare with Milton under the Scott Act?—I never saw anybody drunk in Milton under the Scott Act. Still I was only there as a visitor.

7392a. Were you in Huron when the Scott Act was in force?—No, I went there just after it was repealed. I was informed there was much more drinking and drunkenness in Goderich under license than under the Scott Act.

7393a. Under the prohibition you speak of, would you prohibit the importation of wine, beer and whisky for domestic use?—I think if we let it into the country at all it is sure to get out and make people drunk.

7394a. Now, regarding the manufacture of liquor in the country, would you permit farmers who have vineyards to make wine for their own use?—I suppose they have that privilege now.

7395a. Would you allow them to make cider from their apples?—They make cider now, I believe.

7396a. Would you allow them to make home brewed ale for their own use?—I think the Government allows them to do that now.

7397a. You would allow them to make liquors for their own use?—Well, my opinion is that they had better not do it.

7398a. We want to get a definition of what is meant by prohibition. Would you exclude them under prohibition from making these things for their own use?—I would prohibit them from making liquor for their own use. My feeling is that everybody would be better without it entirely, and that our country would be more prosperous, and the people more law abiding and religious.

7399a. Would you prohibit then the manufacture by members of the community, of liquor for their own use?—I have not thought of that phase of it.

7400a. Could you direct us to any country where the importation of liquor for domestic use is prohibited?—I do not think that I could, but I think it is an injury wherever it is imported. The power to import is one of the weak points in the prohibitory law in Maine.

7401a. We have had the testimony and the opinion of Gen. Neal Dow on that matter, and I think his testimony is to the effect that he would not favour an amendment to the law prohibiting importation for domestic use?—I am only giving my own opinion.

By Judge McDonald :

7402a. I will read you an extract from Gen. Neal Dow's evidence :—

“Q. If public opinion would permit it, would you stop importations for private consumption?—I would require to think over that a little. We do not want any more than we can help to interfere with the private habits of people except so far as they interfere with the public good. We think we are warranted by law in interfering in every way when the public good is endangered.”

—I gave as my opinion that everybody would be better without alcohol in any shape or form.

By Mr. Clarke :}

7403a. The Government is asked to frame a law, and we want to know what your opinion would be as to the provisions of that law. Should it contain a prohibitory provision against the importation for domestic use? Should it prohibit persons from making liquor for their own use on their premises?—I would favour the entire prohibition

of the use of alcohol for beverage purposes. I do not think it necessary for sacramental purposes.

7404a. But of course you would allow the members of other communions who think differently, to have liquor for sacramental purposes?—I am simply giving my own opinion.

7405a. I think you attributed the repeal of the Scott Act to political divisions and dissensions?—I was so told, but I have no knowledge.

7406a. Did you have any knowledge of the benefits that were being scattered about the county by the operation of the law, except from hearsay?—I know that several men who had been addicted to strong drink and drunkenness, and did not support their families, were reformed during the Scott Act.

7407a. Do you know if the assessment of the County of Halton was increased?—I do not.

7408a. The statement has been made that the assessment was increased during the period the Scott Act was in operation, and is given as a proof of improvement in things generally?—Men voluntarily stated to me, when I was there, that debts were paid that they had never expected to collect under the License Act, that parties had come forward and paid them during the three years the Scott Act had been in operation.

7409a. Can you give us any explanation of the causes which led to the repeal of the Scott Act, not only in Halton but in every other county in this Province in which it was in force? These benefits and these advantages must have been apparent to people in the various counties, and in the face of them, when an opportunity was given to vote again on the Act, it was repealed, in some cases by overwhelming majorities. What is your theory with regard to that?—I am aware of that. I think it is due to the non-enforcement of the Act by the parties who were responsible for its enforcement.

By Judge McDonald :

7410a. The question arises, if the Act was not enforced, where did the beneficial effect come in?—It was enforced in a measure.

7411a. According to all the accounts you received it was enforced to such an extent as to confer great benefits to the community. You say that people paid their debts, that people who had been of drunken habits became reformed. These are things that every good citizen must aim to obtain ; those having been obtained, how can you account for the repeal of the Act?—I cannot. I do not know why it was.

By Mr. Clarke :

7412a. What would be the moral effect of having a law on the statute-book like the Scott Act, not only not enforced, or partially enforced, but ignored and violated constantly?—I cannot conceive of any Government with any sense of righteousness, enacting a law and not enforcing it. There is where the trouble was—the Government enacting a law and not putting it into operation. They had the same power to enforce that law that they have to enforce any other law.

7413a. The law was put into operation by the votes of the electors in these counties ; the Government provided them with machinery, and set apart the fines that were handed over to the municipalities for the purpose of enforcing the law, and we find in many municipalities there are thousands of dollars yet in the treasurer's hands that were not used?—I did not come here to argue this question.

7414a. But we are trying to get information from you.—I came here simply to state what I have seen, what I know, what I believe, and that is that if the Government had enforced that law as they do any other law, the law of theft, or uncleanness, or any other law, the Scott Act would not have been repealed in many cases.

7415a. But the Government appointed Inspectors, and it was the duty of the police in towns and cities to aid in the enforcement of the law. Did the lack of public sentiment behind it have anything to do with its non-enforcement?—I do not think so. I think the temperance sentiment was as strong then as it is now, and it is as strong now, perhaps, as it ever was.

REV. GEORGE RICHARDSON.

By Judge McDonald :

7416a. We do not sit here at all to argue, we sit here to obtain information, and then if possible to spread that information to the people of the country as a whole, with respect to the different points which we are charged to inquire into. You spoke of the law against theft. Where a theft is committed, who generally sets the law in motion? Is it not the man whose property is stolen, who goes and makes complaint to the authorities?—I presume so, or some other person who has seen it.

7417a. It is generally the aggrieved person. Now, do you find any difference in that respect between a law like the Scott Act and the law against theft?—I find this difference, that a man who becomes an informer under the Scott Act regime, is likely to have his place dynamited or some other injury, personal injury, perhaps, done to him by the parties who are in the trade. The same does not exist in other laws.

7418a. That is a matter of considerable importance. Will you kindly now give us information as to the locality—not names—where, within your own knowledge, a person's property was dynamited?—All the knowledge I have is from the newspapers, and I suppose we have a right to accept the statements that are made public.

By Mr. Clarke :

7419a. One of the perplexing things in this connection, is to account for the repeal of the Scott Act by overwhelming majorities, after it has accomplished the good that many have testified it was doing. Why was it repealed? We have had testimony in various places as to its beneficial effect, and we cannot understand why, if these effects were apparent to the people generally, the Act was repealed; and we are trying to get information on that point?—Of course I cannot say as to the County of Huron, because I went into it after the repeal; but numbers of people there who voted against the Scott Act, have said that if they had a chance they would vote for it now, after seeing the difference between the two Acts. I have found, in investigating the complaints against the Scott Act, that the result was very much like what the gentleman said to whom I have referred. They tell me, "Oh, there is as much liquor sold as ever." But when we ask them where it is sold, and where are the drunken people, they cannot tell.

7420a. Take the County of Huron. The Act was voted for on the 30th October 1884, and carried by a majority of 1,633. On April 19, 1888, a vote on the repeal was taken, and the vote was repealed by a majority of 1,310, a change of nearly 1,500 votes. There were 10,200 odd votes against it on the first occasion, and about 10,600 on the second occasion; so that there was very little difference in the total vote on both occasions. How do you account for that?—I have said before that it was the non-enforcement of the Act that caused dissatisfaction. But when the Scott Act is in force it is certainly a good Act, and the provisions of it are good, the prohibitory clauses are good.

GEORGE LANG, of Berlin, manufacturer, on being duly sworn, deposed as follows :—

By Judge McDonald :

7421a. How long have you resided in Berlin?—About forty years all told. I was born here, and I have been out of Berlin but very little.

7422a. What is your occupation?—Tanner.

7423a. Have you held any official position?—I have been in the Council, and I have been President of the Berlin Board of Trade.

7424a. How many men do you employ?—Between 60 and 70 just now.

7425a. Have you any trouble with these men owing to intemperate habits?—No.

7426a. You have not found your business affected at any time by the intemperate habits of employees?—No, only in one case. I have been manufacturing about 30 years,

and during all that time I suppose I have had under my care several thousand men, and I was obliged to dismiss only one man in consequence of intemperance.

7427a. Do you find that the habits of the people of this community are, on the whole, temperate?—Yes, and I think they are becoming more so all the time.

7428a. How do you find the license law work in this county?—From my experience I think it works well.

7429a. Do you think its provisions are well enforced?—I think so.

7430a. Would you favour the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale?—No. I do not think you could carry out such a law.

7431a. What difficulty would you apprehend?—I think in the first place it is a law against the rights of the people; and furthermore, from the experience and the knowledge we have of neighbouring constituencies during the time of the Scott Act, I do not think it could be enforced.

7432a. In case of the enactment of a prohibitory law, would you deem it right that brewers and distillers should be compensated for the loss of their machinery and plant rendered useless?—I think so.

7433a. Is there any statement you would like to make yourself?—I may state that I believe there is a growing tendency towards temperance, more than there used to be years ago. In my own business at one time, nearly all the carriers, people employed in finishing leather, were much addicted to drinking habits. Not only was that the case in our own place, but also in the other manufacturing concerns here, and they employed at that time more men than I did, and all these men were in the habit of drinking, particularly on Saturdays. All that has entirely fallen away—I can speak at least for the leather industry—there has been a decided change for the better. I may further state that whenever there was a building erected, it was the custom when the work was finished, to give the men beer or whisky. That custom has entirely gone, and I think the tendency is towards moderation.

7434a. Did you have any personal experience in Scott Act counties, to see how the law was carried out?—Yes, in the town of Chesley, in Bruce county.

7435a. What did you see there?—I was driving through the county by dark, and I came to a hotel very much fatigued. I thought I would be the better for a little whisky, but being a stranger, I found I could not get it. However, I managed to get along without it. But I understand that others who lived there could get whatever they wanted, but the traveller who had been out in the dust of the day could not get any without being known.

7436a. But you had no personal knowledge of those others getting it?—I was told so, I did not see it.

7437a. Have you noticed whether the business interests of the country are affected to any extent by the liquor traffic?—I mean interests other than those of the traffic itself?—I do not understand you.

7438a. Does the liquor traffic as carried on exercise any influence, either for good or evil, upon other business interests in the community?—I do not think so, I have not observed any.

By Mr. Clarke :

7439a. It would be much better if the money, now spent in whisky, was spent in something else, would it not?—I suppose so, a great proportion of it. If I wanted to take a glass of whisky I would not like to have any person tell me that I must spend my money in something else.

7440a. In your experience as a large employer of labour for many years, I understand you to say that you have only come across one case where you found it necessary to dismiss a man for intemperance?—Just one case.

7441a. Then it goes without saying that the men you have employed must be sober, steady men?—We are careful what kind of men we employ. There is very little drinking to excess in this community. There are only two or three men in this town that I know of, who are hard drinkers, and these men are very old men. One is an ex-soldier

GEORGE LANG.

of the United States; I suppose he got to drinking during the time of the war, and he has not got over it.

7442a. When you employ your men do you demand that they shall be total abstainers?—No, none of our men are total abstainers.

7443a. Do they lose any time on account of the excessive use of beer in the evening?—I do not know of any one case, and I am in the office all the time.

By Judge McDonald:

7444a. Do you know what kind of liquor is usually consumed by these people?—Lager beer, I think, and whisky.

7445a. Whisky is used to some extent, is it?—Lager beer is the principal beverage.

7446a. Whisky is used very little, we understand?—Sometimes in case of an accident about the works, if a man is in danger from the loss of blood, we have found it necessary to give him whisky.

7447a. Do you attribute the sobriety that prevails amongst your employees and in the community generally, to the fact that lager beer is the beverage generally used, and to the non-use of spirituous liquors?—I do not know, I rather think it is the ambition of our people, they try to get ahead. It is not customary here for people to drink too much.

HUGO KRANZ, of Berlin, Insurance Manager, on being duly sworn, deposed as follows:—

By Judge McDonald:

7448a. What is your business occupation?—I have been for some years in the mercantile and manufacturing business, but I am at present manager of a fire insurance company.

7449a. We understand you represented this electoral district in the House of Commons for some time?—I did.

7450a. Speaking as a citizen, how do you find the provisions of the license law carried out in this community?—I think they are carried out fairly well.

7451a. Have you had any experience of the working of a prohibitory law?—No.

7452a. Have you ever found any difficulty caused to your business by intemperate habits on the part of people in your employment?—No, I could not say that.

7453a. Do you find this community, taken as a whole, to be a law-abiding and sober people?—Yes.

7454a. We understand there is a common use of lager beer here for beverage purposes?—Yes.

7455a. Do you find the people are affected prejudicially by such use?—No, I do not think the majority of them drink to excess. They may go to excess in lager beer as well as in whisky.

7456a. But you have not noticed that excess prevails to any great extent in this community?—No.

7457a. Do you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of liquors for beverage purposes?—No, I do not.

7458a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—Yes, I believe they should be indemnified, because the Government—and the Government is the people themselves—have been in partnership with these men for years; and if their business, which is a legal one at the present, is prevented, I think they should be indemnified. I have heard gentlemen make the remark that distillers and brewers are in the same position as other business men. I do not think so. Men dealing in any other wares can do as they please, but the manufacturer of liquors is

under Government control, he has to erect his works and his plant just as he is told to do by the Government. Their work is done under Government control, and I believe they should be indemnified in case a prohibitory law is passed. Again, it has been remarked that they should pay the damages which they have done to others in their trade. Well, if damage is done, it is not done alone by these manufacturers, it is done by the Government just as well, because I consider the Government has been a partner in that business all along.

7459a. Is there any further statement you would like to make yourself on this subject?—I am opposed to a prohibitory law because I do not believe that it ever can be carried out. I believe in temperance, I am not a tetotalter myself, but I consider myself temperate. I hate nothing more than to see a drunken man, but I believe you cannot make men good or temperate by law. Our community is a very temperate community; and I know from experience that the moral status of the people has been raised a good deal during the last forty years. I have lived in this town for 35 or 40 years, and I know the ways and customs that prevailed 30 years ago. At that time the first men in the town thought nothing of being on a spree in a tavern, it was considered quite fashionable. But those ideas have vanished, and I believe we are gradually tending towards better morals and a higher social standing than prevailed in the past. I believe temperance can be promoted by moral suasion and by setting a good example far more than by enacting laws which cannot be carried out. The Scott Act was not carried out, and it would be the same with a prohibitory law. My opinion is that it would be a dead letter, and it would have injurious effects. It would bring down the high opinion which people generally have of law. If you have a law on the Statute-book which cannot be carried out, it is worse than no law.

A. L. POWMAN, of Berlin, Collector of Customs, on being duly sworn, deposed as follows :—

By Judge McDonald :

7460a. You have been ordered to produce some statistics showing the importation of liquors into this port; will you now read them to us?—I have prepared a statement of liquors imported at the port of Berlin from the year 1883 to 1893, the fiscal year extending in each case from first July to second June.

7461a. Has the rate of duty upon distilled liquors been increased?—Yes. In 1882 I think it was \$1.75; it is now \$2.12½ per gallon.

7462a. In what section of the country is this liquor taken?—I could hardly tell you that. Of course the heaviest importers are Randall and Roos, who do the wholesale liquor trade here. They have their travellers on the road down as far as Niagara and up north to Goderich. A good deal of this liquor is used in other counties than Waterloo.

7463a. Speaking as a citizen, do you find that spirituous liquors are much used in this county by the people?—No, lager beer is the principal beverage.

7464a. Speaking as a citizen, how do you find the provisions of the license law carried out?—I think fairly well.

7465a. Have you had any experience of the working of a prohibitory law?—No. The Commission adjourned.

HUGO KRANZ.

BERLIN, October 17, 1893.

The Royal Commission met at 10:45 a.m.

Present

JUDGE McDONALD.

JUDGE McDONALD:—My brother Commissioner, Mr. Clarke, who had to go down to Toronto last evening, expected to be here by this time this morning. I think he will arrive during the course of the forenoon.

D. HIBNER, of Berlin, on being duly sworn, deposed as follows:—

By Judge McDonald:

7466a. How long have you resided in Berlin?—For the last 18 years.

7467a. I understand you are Reeve of the town?—Yes, and as such I am one of the representatives in the County Council.

7468a. How long have you been Reeve?—This is my third year.

7469a. Are you engaged in business in the town?—I am a furniture manufacturer.

7470a. How many men do you employ?—At present 32 hands.

7471a. Are your workmen mostly Canadians, or are they made up of different nationalities?—Different nationalities.

7472a. How do you find their habits as to temperance and sobriety?—In that respect I congratulate myself, for we have not any who are not temperate. We do not allow intemperate men to enter our employ.

7473a. Have you been troubled at any time with having men of different habits from those?—Yes, in one or two instances. But when we find a man inclined to drink too much, we give him a warning, and that is generally the last of it. By doing so we have not had any fault to find since.

7474a. Have you had any cases in which, owing to intemperance on the part of any of your employees, other men have been kept from their work?—Not to my knowledge.

7475a. I mean work that requires two or three hands to do, and one being off, the others are kept from their work?—Yes, we have had some trouble that way before we laid down these iron clad rules, as it were. Our work goes from one machine to another, and if one man is short it stops the others.

7476a. Speaking as a citizen, how do you find this community in its habits?—Is it sober and law-abiding?—Yes, I think it is more so now than it has been, according to my judgment.

7477a. Has there been a growth of temperance sentiment and temperance habits?—It seems to me so.

7478a. Are the men who are employed in the factories and other works here, generally men who are fairly prosperous?—Yes, so far as I know.

7479a. Do they own their own homes?—Yes, mostly; I think more so in this town than in any other town in the Dominion.

7480a. They acquire properties of their own?—Yes.

7481a. Have you noticed what is the prevailing beverage among those people when they do partake of what is generally called strong drink?—I think beer is used mostly.

7482a. Do you find the provisions of the license law fairly well carried out in this community?—Yes, I believe they are, so far as I know.

7483a. Have you had any experience of the working of a prohibitory law, such as the Scott Act?—No, not a great deal. I have been away occasionally. Twice I think I have been in the town of Tara, away beyond Chesley, up on the Wiarion Road in the

County of Bruce. Then I have been in another town away back of St. Thomas, Duart, I think, in the County of Elgin.

7484a. How did you find the law observed in Tara?—I went up there to buy some lumber of a man who had a saw-mill, he lived out on a farm adjoining the town. I came in late and went to a hotel, and I was awfully disgusted at the way I was treated in that place. They had some back room where men were sitting playing cards and drinking whisky all night. I concluded that the Scott Act did not have a very good effect in that town. They were thundering around that hotel so that I could not sleep. In fact I left in the morning without a breakfast, and went up to this saw-mill man and got my breakfast. I told my experience, and he said: Yes, I am sorry to say that I voted for the Scott Act myself, but since it has been in force I see men going into those hotels to get drink who, when the license law was in force, would not go up to a counter and take a glass.

7485a. How did you find it in the other place?—I was only there a few hours looking for some lumber. I could not say how the law was observed.

7486a. Would you favour the enactment of a prohibitory law for the whole Dominion, preventing the manufacture, importation and sale of intoxicating drinks for beverage purposes?—That is a pretty hard question to answer, that means a good deal. In fact I never thought about that much. I have reflected that there is a lot of capital invested in this business, and who is going to compensate these men for their capital?—Would it be right to say to them, you have got to shut up—without giving them any remuneration or any recourse?

7487a. In case such a law were enacted, would you deem it right that these men should be remunerated for the loss of their plant and machinery that would be rendered useless?—I think they ought to be, because the law is such that it holds out an inducement to a man to invest his capital in that business. Now, if you go to work and pass a law to shut up his business, without giving him any recourse, I do not think it would be fair from a financial standpoint.

7488a. You have not given the whole question much consideration?—Not at all. I am a man who generally attends to my own business.

7489a. Have you any statement you wish to make yourself on the question of the liquor traffic?—Nothing in particular.

GEORGE RUMPER, of Berlin, on being duly sworn, deposed as follows:—

By Judge McDonald:

7490a. How long have you resided in Berlin?—About eighteen years.

7491a. In what business are you engaged?—In the manufacture of boots and shoes.

7492a. How long have you been engaged in that business?—Fourteen or fifteen years.

7493a. How many people do you employ?—I employ from 70 to 75 hands.

7494a. Your employees are of different nationalities?—Yes.

7495a. How do you find their habits as to sobriety and temperance?—They are well conducted. Some drink a little, and some do not at all.

7496a. Do any of them drink to excess?—Not to speak of.

7497a. Has your business at any time been injured at all by drinking habits on the part of your employees?—Very little.

7498a. Have you noticed what is the popular beverage in this part of the country?—Lager beer.

7499a. Have you been in any county where a prohibitory law was in force?—No, I have not had any experience.

7500a. How do you find the license law to work in your own county?—I think it works very well.

D. HIBNER.

7501a. Do you find any trouble arising from drink in the community?—No. The people are mostly German in this county, and they drink a glass of beer occasionally, but very little liquor.

7502a. Do you yourself favour the enactment of a prohibitory law that would prohibit the manufacture, importation and sale of intoxicating drink for beverage purposes?—No, I would be against it.

7503a. In case such a law were enacted, would you deem it right that brewers and distillers should receive remuneration for plant and machinery that would be rendered useless?—Certainly they should be.

7504a. Is there any statement you would like to make yourself in reference to this matter?—I may mention that we have had several large singing festivals in this town, when we had 5,000 to 10,000 strangers as visitors, mostly Germans, and I do not think there was one man drunk on the streets. Our Chief Constable knows more than I do on that point. At least I did not notice any drunken men. They all behaved themselves very quietly. Of course, they only drink beer, it is very seldom that they take a glass of liquor.

7505a. Did these people who came to the festival, come from different parts of the country?—From all parts of the country; some came from Montreal. They were Germans.

7506a. Did many people come in from the county itself?—Yes, a great many came in.

FREDERICK SNYDER, of Berlin, tinsmith, on being duly sworn, deposed as follows:—

By Judge McDonald :

7507a. How long have you resided in Berlin?—Some forty years.

7508a. What business are you engaged in?—I keep a tin shop.

7509a. Do you employ any men?—Only one.

7510a. How do you find the character of this town in respect to sobriety and temperance?—So far as I know there are very few drunkards in this town. I do not see any.

7511a. Have you seen the working of a prohibitory law anywhere?—No.

7512a. Do you favour the enactment of a prohibitory law that would prevent the manufacture, importation and sale of intoxicating drink?—No.

7513a. In case such a law was passed, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—I would think it right. If such a law were passed every distiller and every brewer would suffer from it. I would make these temperance men who are advocating prohibition, pay the brewers and distillers, and every man who will suffer under it.

7514a. How do you find the license law that we have now?—I guess it works pretty well. In former years when we had more taverns, it was as quiet as it is now. We had no rows in former years. We had 15 taverns and now we have 8.

7515a. Do you think eight are enough for Berlin?—We get plenty to drink.

7516a. Is there plenty of accommodation for travellers?—You can get a glass if you want it.

RODOLPH MYLIUS, M.D., of Berlin, on being duly sworn, deposed as follows :—

By Judge McDonald :

7517a.—How long have you resided in Berlin ?—Thirty-three years.

7518a. As a physician have you noticed whether much of the sickness and disease which you have to treat, arises from intemperate habits upon the part of the people ?—Not at all.

7519a. It was stated to us by a doctor, the other day at London, that beer drinkers suffer much more from the effects of what they drink than do those who drink spirituous liquors ?—I am not of that opinion.

7520a. He told us that he found that the drinking of beer was a great cause of Bright's disease ?—I do not believe it, because in Germany, where they drink almost exclusively beer and wine, Bright's disease is almost unknown.

7521a. Have you been in Germany yourself ?—I was educated in Germany.

7522a. Then you have seen the habits of the German people ?—Certainly, and their custom.

7523a. What is the principal beverage in Germany ?—Beer.

7524a. What kind of beer ?—Good strong beer.

7525a. Is it like the lager they drink here ?—Certainly, the lager. They use that and wine.

7526a. When you speak of beer used in Germany, you mean lager ?—Exactly.

7527a. Was there much drunkenness there ?—No, there is not much drunkenness.

7528a. When in Europe, were you in any country where spirituous liquors were used more than beer ?—Yes, in the north of Germany there are more spirituous liquors used.

7529a. Taking the communities in which malt liquors are used, and those in which spirituous liquors are used, in which do you find the most drunkenness ?—It is all the same. I do not find any difference in Germany.

7530a. Are there any people who use spirituous liquors to excess ?—Rarely. We find very little drunkenness in Germany.

7531a. Were you in communities where light wines were used a good deal ?—Yes, a good deal.

7532a. With what results ?—Well, with the result that people feel joyous, but do not get drunk.

7533a. Have you seen the working of a prohibitory law anywhere ?—I have had no experience.

7534a. In your own county here, you have the license law ?—Yes.

7535a. How do you find it work ?—I think it works very well.

7536a. Do you have much drunkenness in this county ?—No, not much.

7537a. What is the principal beverage here ?—The principal beverage here in Berlin is beer, the lager, German lager.

7538a. Would you favour the enactment of a prohibitory law that would prevent the manufacture, importation and sale of intoxicating beverages in Canada ?—No.

7539a. In case such a law were enacted, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless ?—Most decidedly, and those who vote for prohibition should pay it.

7540a. I would be very glad to hear any statement from you upon this subject which you would like to make, whether from your experience as a traveller or as a physician ?—I can only speak professionally, scientifically. The whole prohibitionist movement is a farce, is nonsense, from a physiological standpoint. Man only differs from the animal by the use of stimulants, and it is said that the high civilization of this century is mostly caused by the use of stimulants. There is no people on the face of the earth that has not its stimulants. I do not favour the abuse of stimulants, but I favour their use, and I think, from a scientific standpoint, the use of stimulants is favourable to men, by giving our patients stimulants after mental exhaustion and nervous excitement their life is prolonged. You can only support your system and keep it up to its normal activity

RODOLPH MYLIUS.

by the use of stimulants. The best proof that stimulants act favourably on the mind is furnished by the fact that those temperance people who are really keeping temperance, make such asses of themselves that they advocate a prohibitory law. There has been a congress of temperance people in the old country, at the Hague, in Holland, where all the best physicians from England, France, Germany, and so on, were present. These men formed a temperance congress, and they formulated the rule that it is impossible to do without stimulants, and that it is consistent with thorough temperance to use daily about six ounces of whisky, a little light wine, about two litres, and about four glasses of strong beer. That, they consider, means real temperance.

7541a. It is urged by some that the difficulty is that persons who would take the small quantities of which you speak, get a taste for intoxicating drink, and then take more?—That may be so, a small quantity will favour that.

7542a. And thereby they injure themselves?—But why not educate the people to keep temperate? These small quantities I have mentioned are the minimum, not the maximum dose. It is not said that a little more would hurt them.

7543a. Have you any further statement you should like to make?—I think not.

MICHAEL ROOS, of Berlin, wholesale grocer, on being duly sworn, deposed as follows:—

By Judge McDonald:

7544a. How long have you lived in Berlin?—Four years next month.

7545a. Where did you live before then?—Previous to that time, nearly all my life in Preston, eight miles from here.

7546a. So that you are really a native of the County of Waterloo?—Yes.

7547a. Speaking from your experience in various parts of the county, do you find the habits of the people to be sober and temperate?—I find that the most of them, all the Germans especially, like their glass of beer. There may be a few of them who drink to excess; but I think there is less drunkenness in the County of Waterloo than probably in any county in Ontario.

7548a. Do you find that the lager beer is a general beverage?—Yes.

7549a. What is your own business?—Our firm are in the wholesale business, groceries, wines, liquors and cigars.

7550a. What is the name of your firm?—Randall & Roos.

7551a. In what part of the Dominion do you carry on your business?—Principally in western Ontario, west of Toronto, and north of here.

7552a. In what counties do you go?—Perth, Huron, Bruce, Grey, Oxford and Wentworth, you may say within a radius of one hundred miles of this place.

7553a. Were you carrying on business at the time the Scott Act was in force?—We were.

7554a. Were you then engaged in the liquor business?—Yes.

7555a. Can you tell us whether at that time sales of liquor were made to any extent in Scott Act counties?—In stronger liquor, I think the sales were even more than they are now, for instance in whisky. Whisky, of course, was the principal liquor; then brandy, gin, rum, scotch whisky and those hard liquors, were sold as much, I think, as now; but whisky was sold more. But there was less beer and wine used.

7556a. In what kind of packages did you send it out?—All sized packages, we sold both barrels and kegs. When we sold to small places, about nine-tenths of the liquors were packed up in boxes and barrels and shipped to different names.

7557a. Did you make any shipments to private individuals?—Yes, a great many, and we sold by the barrel: we ship quite a lot direct from the distillery to these places. For instance, if a man ordered a barrel of whisky to be shipped from Gooderham's distillery in Toronto, we used to ship it to some different name, sometimes to the station where the person lived, and sometimes to a different station beyond it or this side of it.

7558a. Would this be for dealers?—Yes.

7559a. When you shipped to private individuals, was that sent directly?—We did not do much of that. Our business is wholesale. We have done so, but we did not make a practice of it. In a great many places we would ship whisky to different names. For instance, our traveller, Mr. Brown, would go to Warton, or some of those places, and we would ship the whisky to his name, and we would send the hotel-keeper an order to get it at the station. We would say: Agent, G. T. R., or C. P. R., please deliver such and such goods to bearer on receipt of this order. We would send the hotel-keeper the order, and they would send some person, either in the day time or at night, as would be most convenient for them, to the station for the goods. They would not touch it themselves. In this way the goods were got into these places without being known. I have brought our letter book along with me so that you may see it. It shows the different places to which we shipped goods in the year 1886-87.

7560a. You might give us the places, but not the names?—It was shipped to our traveller. Here is an order:

MESSRS. GOODERHAM & WORTS:

GENTLEMEN,—Please ship immediately to H. C. Brown, Mount Forest, one barrel of rye.

Mount Forest is in Wellington County, I think.

7561a. Was the Scott Act in force in Wellington County at that time?—Yes. Here is another order:

To MESSRS. _____

Your telegram saying to ship goods ordered at once, just received. We have ordered a barrel of rye from Gooderham & Worts Distillery, Toronto, to be shipped immediately to the address of H. C. Brown, and herewith enclose you an order to the station agent. Trusting it will arrive in due course.

RANDALL & ROOS.

Station Agent, Mount Forest: -

DEAR SIR,—Please deliver to the bearer the barrel of rye whisky consigned to me by Messrs. Gooderham & Worts, Toronto.

Yours truly,

H. G. BROWN.

Mr. Brown was our traveller, and of course we would send the order right from the house, and so I could go on through the whole book.

7562a. Have you many of these in your book?—Yes, hundreds of them, to all parts.

7563a. Did you at any time experience difficulty in collecting from the people who lived in those sections?—Yes, quite a bit.

7564a. Did any of them claim the sale was illegal?—Yes, a great many of them have not paid us to this day. Besides, shortly after the Scott Act came in, there were a great many who could not make a living, they were a little behind, and were leaving the country. A lot of them went over to the other side. Sometimes we would ship the goods to our own names, and sometimes to the traveller's.

7565a. Did you suffer any loss by the liquors being seized?—Very little.

7566a. Were you yourself in any of these Scott Act counties where the law was in force?—Yes.

7567a. Do you remember seeing how it worked?—I do.

7568a. In what counties?—Principally in Huron and Wellington.

7569a. Can you name any places in Huron?—Seaforth, Brucefield and Clinton.

7570a. Did you find the law observed in those places?—Of course, they sold all they could.

7571a. Were they selling much?—The hotel-keepers sold all they could; what I mean is, if a man came in that they had any doubts about, they would not sell him any; but in a great many places they sold quite openly. Of course some people were more careful.

7572a. How was it in the County of Wellington?—It was pretty much the same all over. They all kept liquor, and where they could sell it, without fear of being caught, they did. But they all kept liquor, more or less.

MICHAEL ROOS.

7573a. Can you say, from what you saw in those counties, whether the liquors that were sold were in any way adulterated?—I think they were adulterated more than they are now. They sold principally whisky, strong stuff, and they would fix it up. I know we have had kegs come back where we found some stuff in them that we were not at all pleased with.

7574a. What did you find in them?—Well, we found tobacco in some of them; in other kegs we could not tell what it was. But we do not find anything like that now.

7575a. Did you ever find what is called bluestone?—I could not say I would know blue stone if I saw it.

7576a. It is the same as blue vitriol?—I would know blue vitriol; but if it was in liquor it would be dissolved.

7577a. I have understood that blue stone can be detected. I have heard people say that they found it in the bottom of the kegs?—We never examined it as closely as that. If we have suspicion of anything being in the kegs, we open them up.

7578a. Have you found your sales diminished since the Scott Act was repealed, in the counties of which you speak?—I think we have in strong liquor. We are selling more wines now than we used to. We are buying wines now by the car load that we formerly bought in less quantities.

7579a. Where are the wines made?—Different places.

7580a. Are Canadian wines used at all?—We principally use Canadian wines. We buy principally from P. G. Bright & Co., in Toronto; we buy from them by the car load. Their wine is made up in the neighbourhood of Niagara Falls.

7581a. Do you find the use of that wine is increasing?—I think it is since the Scott Act was repealed. We sell more wines now than we did then, but less whisky and less strong stuff.

7582a. Is there any statement you would like to make yourself in connection with this matter?—I may say that I have been in the liquor business all my lifetime. My father was a hotel-keeper and a brewer. With the exception of about two years, I have been handling it all my life, both in the bar when I was young, and in other ways in later years. Since I am able to earn my own living I have earned it on the road, amongst hotels, or in the cellar handling samples every day, and I never have been drunk, I never took a glass of whisky or any strong drink, either in the cellar, over the bar, or in my own house. I think I can name more ministers' sons that are bad—not through liquor alone, of course there are other things—but I can name more ministers' sons that are bad than I can either hotel-keepers', brewers', distillers' or wholesale merchants' sons.

At this stage of the sitting, MR. CLARKE arrived.

7583a. It is quite proper to ask you why you bring in ministers. What connection is there between them and the subject of this inquiry?—Well, ministers, as a rule, are supposed to be against the use of liquor; and by ministers being too severe on their sons in different ways, forbidding them to use liquor or to be around hotels, the young men are more apt to be fond of it and to get a liking for it than those who are in the business.

7584a. Well, without the slightest imputation upon you or your business, do you think yourself that the hotel or other place where liquor is sold, is the best place in which to bring up a young man?—No, not exactly that. What I mean to say is that I know of more ministers' sons that are bad than I do of hotel-keepers', brewers' or distillers' sons.

7585a. Have you reason to suppose that these persons to whom you refer would have been any better if they had been frequenters of places where intoxicating drink was sold?—It might possibly not be.

7586a. It is difficult for one to see the connection between the two things. I understand what you mean. Your position is this: that the sons of those who are opposed to the traffic and who keep them away from it, fall into intemperate habits just as well as the sons of those who are connected with the traffic?—That is it.

7587a. I understand your reasoning; but following that up, would you put forward this idea: that it was better, in the interest of a young man, that he should be brought up in those places, than be brought up away from them?—No, I do not mean that, but

I mean that I know of more young men who are hotel-keepers' sons and who take less liquor than the sons of ministers, and are fully as respectable.

7588a. Did your sales fall off during the Scott Act period?—They did in this way: we sold more strong stuff, more whisky—whisky was the principal thing handled then—than we did wine. Of course beer and ale were sold very little, only bottled.

7589a. Did you favour the repeal of the Act?—Well, the Scott Act made it very unpleasant for us to do business, because we were obliged to fill a great many small kegs and pack up the case.

7590a. Did you find it satisfactory to do business in sending to these addresses?—Not at all, it made it very unpleasant for us.

7591a. Feigned addresses, you may say, because the package was not intended for your traveller?—No, it was not intended for him.

7592a. Then was there a difficulty about collecting from people?—It was very difficult in some places. In some places they said we could not make them pay it on account of the Scott Act being in force; but of course that was wrong, because we had no Scott Act here and we could sell what we liked.

7593a. Do you import liquors from abroad?—Yes, from different countries.

7594a. Somebody put forward the statement yesterday that the Canadian wines made here are much fortified with spirits. What is your experience?—Of course all wine should have a certain amount of spirits in them to keep them. A wine without spirits would not keep very long.

7595a. Are they fortified to such an extent as to render them very intoxicating?—No, I do not think so.

7596a. I use the term "very" comparatively, because, of course, they are intoxicating under any circumstances if they are fortified; but are they fortified to such an extent as to contain a large percentage of alcohol?—I do not think there is that much spirits in them that a person would get really full—unless, of course, he made a hog of himself.

7597a. Now, from the statement put in by the Collector of Customs, we find that in 1884-85 there were imported 6,011 gallons of brandy, gin, whisky, wine, ale, beer and porter; in 1885-86 the quantity was 3,042 gallons, a diminution of about one-half; in 1886-87, the quantity was 3,748 gallons, a small increase over the previous year; in 1887-88 importations rose to 6,109 gallons; in 1888-89, the last year of the Scott Act in some of the counties, and perhaps the year after it had been repealed in others, the importations rose to 11,098 gallons?—Can you account for the difference in those years?—Well, when the Scott Act first came into force, of course we had an idea that our business was going to be ruined.

7598a. A question has been suggested to me in connection with the statement that you made about the sons of ministers and the sons of hotel-keepers—to ask whether you have known young men, whose fathers were liquor sellers, to become intemperate?—Well, I have known some to get full, certainly. But what I say is this: that I can name more ministers' sons who are drunkards than hotel-keepers' sons. I do not mean to say that on account of being ministers sons they are any worse; but I just know it to be the case with a few, that they are really worse than hotel-keepers' sons.

7599a. Is there anything in this, that there is really a very small percentage of ministers' sons who go wrong?—Very true.

7600a. But owing to the fact of their fathers being ministers, more attention is drawn to them than to the sons of any other class in the community?—Quite likely, certainly. Of course, where there is one minister's son, there are, probably, a dozen sons of hotel-keepers and brewers.

7601a. We have a great many ministers in Canada now?—I know it.

7602a. Is there any further statement you would wish to make?—Not particularly. I did not wish to cast any reflection on the ministers, by any means. I am a hotel keeper's son, and I want to say that I do not think that a person who is engaged in handling liquor is more likely to go wrong than a minister's son who is forbidden to go near a hotel or to touch liquor. We have seen very often that if a family gets in a box of raisins or cakes, or anything good to eat, and if the children are forbidden to go near

MICHAEL ROOS.

it or touch it, they are more crazy to get hold of it than they would otherwise be. I do not wish to cast any slur on either ministers or their sons; I merely want to say that I think hotel-keepers' sons are as good as ministers' sons, and they are not more apt to become fond of drink than ministers' sons are.

JOHN MOTZ, of Berlin, journalist, on being duly sworn, deposed as follows:

By Judge McDonald:

7603a. How long have you lived in Berlin?—About 43 years.

7604a. What is the name of the newspaper you publish?—The *Berlin Journal*.

7605a. What has been your experience as to the habits of the people of this town and surrounding country, as to sobriety and temperance?—I think there is less drunkenness now than there used to be in years gone by.

7606a. Comparing them with people in other counties in Ontario which you visit, what is the result?—I think our people are more sober than people in other parts of the country.

7607a. To what do you attribute this?—The Germans do not drink so much strong liquors and whisky, but drink mostly beer. During the last few years there is a great deal of native wine made. Some people buy the grapes and make it themselves. Even some of our tavern-keepers buy grapes and make their own native wine. In speaking of native wine, I would like to make one remark. It has been stated that it has been necessary to put spirits into native wine to make it keep. I am in the habit of making native wine, I have it six years old and there is not a drop of spirits in it, not an ounce of sugar has been put into it; it is pure grape juice, and it is just as good now as it was when it was made, and even better, it is milder. It is fermented, certainly; it would not keep without fermentation, but there is very little alcohol in it.

7608a. You mean that no spirits have been added to it to fortify it?—It is not necessary. I would not buy any wine with spirits or sugar added.

7609a. How do you find the license law carried out here?—Very strictly, to all appearances.

7610a. Have you had any experience of a prohibitory law?—I was in the County of Simcoe when the Scott Act was in force there.

7610½a. How did you find things there?—You could get liquor in any place. I was at dinner at Orillia, and they had something they called Scott Act punch, with the pudding. That pudding contained a great percentage of liquor of some kind, but they all partook of it, and in our company were six temperance men, prohibitionists, like my friend Mr. Moyer; and the temperance men relished it just as well as the rest of us moderate drinkers.

7611a. Had you reason to believe that it contained anything intoxicating?—Certainly, most of them knew what it was.

7612a. Had you experience of the working of a prohibitory law anywhere else?—Nothing else, except what I have heard.

7613a. Do you favour the enactment of a law that would prohibit the manufacture, importation and sale of intoxicating liquors in Canada for beverage purposes?—I would not. I think it would make the people worse, there would be more drunkenness.

7614a. In case such a law were enacted, would you consider it right that remuneration should be made to brewers and distillers for the loss of their plant and machinery rendered useless?—I should think as a matter of fairness they should be remunerated. When the Government gives them a license and encourages them to invest their capital in the business, I think the Government ought to indemnify them if they should take away the privilege.

7615a. Is there any further statement you would like to make yourself?—I think if treating could be done away with, and the sale of beer and native wine could be encouraged, it would go a great way in promoting real temperance.

By Mr Clarke :

7616a. Would the encouragement of the use of light wine and beer, create any appetite for stronger liquor that might prove injurious?—Perhaps, some cases. I know people who drink beer and light wine, and who stick to it all their lives.

7617a. It is argued that if encouragement were given to the sale of light beer and light wine throughout Canada, an appetite would be created in the uses of those light beverages, for stronger liquor, and that in reality they would become feeders for the regular saloon. What do you think about that?—I think we should take the experience of countries where nothing but beer and wine, or hardly anything else is used. For instance, in Germany, France, Spain and Italy, where light wine is almost exclusively drunk, there is comparatively little drunkenness. Wines in the southern countries are heavy, but the people never drink them without mixing them with water. I am told by travellers that in Spain and Italy, if you want to have a pure wine, you have got to order it, otherwise you get it mixed with water as a beverage in the hotels.

REV. HENRY GOWDY, of Berlin, on being duly sworn, deposed as follows :—

By Judge McDonald :

7618a. How long have you lived in Berlin?—A year next fall.

7618½a. Of what church are you minister?—Of the Mennonite Church.

7619a. Is your Church largely represented in this country?—Not as largely as some of the other societies, we have 160 odd members here in Berlin and surrounding neighbourhood that attend this church. We have a great many more in the county, perhaps six or eight hundred altogether.

7620a. Have you any rule in your church as to total abstinence?—Strong drink is strongly forbidden. No member of our society is allowed to use it except as a medicine.

7621a. And no member of your society is allowed to use it as a beverage?—No, it is strictly forbidden. If we find that any one does use it, we certainly deal with him ; it is a matter of discipline.

7622a. As a pastor living among the people, do you find that there is an amount of suffering or distress caused by the use of intoxicating beverages?—Yes, a great deal. I am sorry to say that I have near friends and relatives that are suffering badly and neglect their families, just through that.

7623a. Have you lived in any other county than this?—I lived in York County three years before I came here.

7624a. Comparing Waterloo County with York County, how do you find the habits of the people relatively?—I do not find much difference between Waterloo and York ; if anything, I would judge by what I see, that there is more drinking in the town of Berlin than where I lived. I lived out in Markham, it is a smaller place than Berlin. I think I have seen more drunken people on the road in and about Berlin, than I saw during the three years I lived in Markham.

7625a. Was there a prohibitory law in force there?—No, a license law.

7626a. Have you called the attention of the Chief of Police, or of the other authorities, to the drunkenness you have observed in Berlin?—No.

7627a. We have a most favourable showing for this town in regard to drunkenness?—A few days ago when my wife and I were going down town, we met a drunken man on the side walk, and we had to give him room to get along.

7628a. Do you go about much in the rural districts in the county?—Not very much.

7629a. How do you find the license law working in this town?—I think there might be an improvement.

JOHN MOTZ.

7630a. Do you think the people in the trade do not live up to the law?—No, I think they do not.

7631a. Do they not observe the Sunday law?—Of course I have not pryed into matters, but I judge from appearances.

7632a. Is the Saturday night law observed?—That is more than I could tell you.

7633a. Did you ever see any drunkenness on Sunday in the street here?—Not on the Sabbath day since I have been here. Of course Saturday is generally minister's day, when he is in his study a good deal, and not often out on Saturday nights. I could not say much about Saturday nights, but I have seen many the worse of liquor on the Sabbath day.

7634a. Are you in favour of the enactment of a prohibition law for Canada, prohibiting the manufacture, importation and sale of strong drink for beverage purpose?—Yes, certainly.

7635a. In case of the enactment of such a law, would you except the use of it for medicinal, mechanical and sacramental purposes?—We do not use intoxicating liquors for sacramental purposes at all.

7636a. Of course you know there are those who do use it for those purposes?—I know there are some. That would be a pretty difficult question to answer. We think it is not Scriptural to use them, of course others think differently. As a church we differ with some on that point.

7637a. Then you are not prepared to answer that question?—No, I would not like to.

7638a. In case of the enactment of such a prohibitory law, would you favour remuneration being made to brewers and distillers for the loss of their plant and machinery rendered useless?—I do not know as that would be in order.

7639a. You would not favour it?—No.

7640a. Is there any other statement you would like to make yourself in reference to the liquor traffic?—All the different acts we have had dealing with the liquor traffic, seem to do a certain work, yet they do not seem to give full satisfaction. I think if we could have the liquor traffic removed entirely, it would be a real cure for the evils we complain of.

7641a. Have you had any experience yourself of a prohibitory law?—Not at all.

7642a. Have you found that the domestic relations, the wage earning power of the people, or business interests, are at all affected by the liquor traffic as carried on here?—I could not say for the short time I have been here.

7643a. What was the population of Markham?—About 800 or 1,000.

7644a. Was there a police force there?—I think so.

7645a. We are told here that they have something like 8,000 of a population in Berlin?—Markham is a small country village, Berlin is much larger.

By Mr Clarke:

7646a. Did you ever live in any other towns with a population about like that of Berlin?—No.

7647a. Then you cannot make a comparison of the sobriety and good order that exists in Berlin with that of any other place of the same size?—No.

JONATHAN COOK, of Berlin, Governor of the Jail, on being duly sworn, deposed as follows:—

By Judge McDonald:

7648a. How long have you been Governor of the Jail?—Five and a half years.

7649-50a. I find in a Berlin paper this article containing jail statistics purporting to have been given by yourself:

JAIL STATISTICS FOR 1893.

The following summary has been obtained through the kindness of Governor Cook, from his annual report for the year ending September 30th, 1893.

Total number in custody, 88 males and 3 females. Of those three were under 16 years of age; eight were of unsound mind; eight were sent to the central prison; four were sent to the Kingston Penitentiary; one was sent to Penetanguishene Reformatory; nineteen were discharged and bailed out; thirty-one served out their sentence; seven were in custody at the beginning of the year.

These prisoners put in a total of 1,789 days of imprisonment. Eight belonged to the Church of England, eleven were Presbyterians, twelve Methodists, twenty-five Roman Catholics, and twenty-five belonged to other denominations. Thirty-five were married, and forty-four unmarried. Forty-nine were temperate, and thirty intemperate.

Total cost of fuel, clothing and other items of maintenance, \$562.80. Daily cost per prisoner, for rations, 8½ cents.

Thirteen were sentenced for larceny; ten for vagrancy; five for drunk and disorderly; three for assault; three for car breaking; ten others for different offences.

Their occupations previous to entering the jail, ranged all the way from commercial travellers and accountants, to tramps.

Judging from a comparison of this years' statistics with those of the past five years, crime and intemperance are on the decrease in this county.

—That article is correct, I wrote it myself—at least I dictated it to a reporter. There is one item in reference to religions that is not quite correct. There should be two less Roman Catholic than are mentioned there.

7651a. I see that of the persons who were imprisoned, according to this statement forty nine are returned as temperate and thirty as intemperate. Is this classification according to the statement they made themselves to you?—Yes.

7652a. Were any of the 49 temperate, total abstainers?—I could not answer that.

7653a. Your statistics only require the terms "temperate" or "intemperate"?—In looking over the list before I came down, I found that out of the 79 that were lodged in jail, 48 were brought there either directly or indirectly through drink. Out of the other 31 there might have been one or two that I knew nothing about, but the balance would not say that the use of intoxicating drinks had anything to do with their conviction.

7654a. Have you ever been connected with any other prison than the one in Berlin?—Nothing more than as constable in this county for some 12 years.

7655a. You have no vagrants committed to your jail now?—None excepting the ordinary tramp.

7656a. And he may be only in for a short time or be removed to the Central Prison?—Yes.

7657a. Have you had any experience of the working of a prohibitory law?—No, I cannot say that I have. I have been in this county for some twenty years.

7658a. How have you found the license law work?—Of late years I cannot say much about that.

7659a. What is the character of the people in this county, as a whole, for sobriety and temperance?—I can only judge by the figures of other jails; according to population I do not see much difference between the different counties. The statistics of the jails appear to run on a level pretty well.

7660a. You do not find any great difference between other jails and your own?—No.

7661a. Do you as to the number of drunkards?—I have not looked that up.

7662a. You were constable, you say, before you came here?—Yes, in the village of Hamburgh.

JONATHAN COOK.

7663a. How was the license law carried out in Hamburg?—Sometimes it was very well adhered to, other times it was not.

7664a. What is the character of the people of Hamburg for temperance and sobriety?—They are much the same as here. When you get into a community of beer drinkers you do not find them exhibit the same amount of excitement as those who take strong liquors.

7665a. Have you observed much drunkenness in the streets here?—I am not on the streets very much.

7666a. Have you observed whether persons are allowed to go about the streets drunk without being arrested?—I really could not say, because I am only a short time here.

7667a. Do you yourself favour the enactment of a prohibitory law for the Dominion prohibiting the manufacture, importation and sale of intoxicating drinks for beverage purposes?—That is a hard question for me to answer. In a way I am opposed to prohibition, because I believe the temperance cause is on the increase, and that intemperance is on the decrease. If possible I would rather see prohibition reached in some other way than throwing it into machine politics where it would be very apt to fail.

7668a. In case of the enactment of such a law, would you favour compensation being made to brewers and distillers for plant and machinery that would be rendered useless?—I would not be in favour of allowing any to those who have entered the business of late years in face of the prohibition movement.

7669a. Is there any statement you would like to make yourself?—Nothing more than to repeat what I said about temperance being on the increase and intemperance on the decrease. In the year 1888-89, 20 persons were committed to the jail over which I now have control, for being drunk; while in the year 1892-93 there were only six. Thus you see a great diminution within the past five years.

7670a. Since you have been jailor has there been any time in which the jail has been without a prisoner?—Yes, during this last year, which ended on the 30th September we were for eleven days without a prisoner; in the year before, six days; and the year before that four days without a prisoner.

By Mr. Clarke :

7671a. So that in this county the number is steadily decreasing?—Yes.

By Judge McDonald :

7672a. How many inmates of the jail did you say there were, the cause of whose incarceration could be traced directly or indirectly to intemperance?—Forty-eight.

7673a. You mean that the crimes were committed owing to intemperate habits?—Yes, owing to the influence of liquor, through their having partaken of it.

7674a. In case the manufacture, importation and sale of liquor were stopped altogether in this community, from your experience do you believe it would have an effect in reducing crime?—I think so.

CHARLES R. GEDDES, of Berlin, nurseryman, on being duly sworn, deposed as follows:—

By Judge McDonald :

7675a. How long have you lived here?—32 years.

7676a. Do you carry on the business of nurseryman here?—Yes.

7677a. How many men do you employ?—I carry it on on a small scale.

7678a. How have you found the license law carried out in Berlin?—In some instances it is carried out, in others it is not.

7679a. Do you find any difficulty about the Saturday night and Sunday observance law?—It is evident that there are a number of drunkards on Saturday night and Sun-

day, what I call drunkards, although they may not call them drunkards in town here. They get full, and they feel very funny.

7680a. Are they troublesome?—Sometimes.

7681a. Have you called the attention of the police to these people?—Occasionally.

7682a. With what results?—They were attended to sometimes, but not perhaps for drunkenness. They were charged with disorderly conduct, but not with drunkenness.

7683a. We have been told there were no convictions here for drunkenness, but there may have been convictions for disorderly conduct?—There may be, yes.

7683½a. Do you think that, in some cases at least, the disorderly conduct was traceable to the people being intoxicated, or at least, having taken too much liquor?—No doubt about it.

7684a. Have you had any experience of a prohibitory law?—No.

7685a. Do you favour the enactment of such a law, preventing the manufacture, importation and sale of intoxicating drinks for beverage purposes?—Yes.

7686a. In such a case would you except the use of liquors needed for medicinal, mechanical and sacramental purposes?—Yes, so far as mechanical and medicinal purposes are concerned; but I think it could be done without for sacramental purposes.

7687a. In case such a law were enacted, would you favour remuneration to brewers and distillers for the loss of their plant and machinery rendered useless?—They have been already remunerated, most of them, at any rate. I would not favour any further remuneration.

7688a. How have they been remunerated?—Simply from their own profits.

7689a. That is in their business heretofore?—Yes.

7690a. You would not remunerate them for the loss?—No.

7691a. Do you know any country in which such a law is in force as you desire to see for Canada?—No.

7692a. We find that in the western part of Ontario a good many farmers are making wine from their own grapes for use in their own homesteads; would you favour a law that would prevent that, and prevent the manufacture of cider for use in the people's own houses?—Well, I have no use for it.

7693a. I asked if you would favour a law sufficiently strong and sweeping in its character to do away with that?—I think I would.

7694a. I am told you are a Salvation Army officer?—Yes.

7695a. What rank do you hold in the Salvation Army?—Sergeant-major.

7696a. How long have you held that rank?—Three years in Berlin.

7697a. Have you had any trouble in your Salvation Army barracks with intoxicated persons?—Yes.

7698a. How did they come to be there?—I suppose to create a little disturbance.

7699a. They would come in for that purpose?—Yes.

7700a. How did you deal with them?—We dealt kindly with them as long as we had patience, and when patience ceased to be a virtue we had to take the law.

7701a. You had to put them out anyway?—Yes.

7702a. Your work is a good deal of rescue character?—Yes.

7703a. You try to get hold of persons that are drunkards?—Yes.

7704a. Or who have otherwise committed deeds that are contrary to good order, and to bring them to a better mode of living?—Yes.

7705a. Among those whom you have got hold of in that way and exercised a good influence upon them and effected a reformation, have you known many of them to fall away, owing to intemperate habits?—Yes.

7706a. Is any part of your work in the way of relieving the poor?—Yes.

7707a. Do you find much poverty in Berlin?—More than is generally supposed.

7708a. Are you able to trace back the cause of that poverty?—Most of it through drink.

7709a. You know that, as a result of your inquiries?—Yes.

7710a. Where did you live before you came here?—In Guelph.

7711a. Comparing Guelph with this place as to drunkenness, poverty and so on, which would make the more favourable showing?—I was in Guelph many years ago when it was but a small place. That was 32 years ago.

CHARLES R. GEDDES.

7712a. So you have not lived in any town of late years which would compare with Berlin in population?—No.

7713a. Is there any further statement you would like to make yourself?—There are people in this town who drink a great deal, and we are troubled with them very often on Sunday nights; they are drunk, but perhaps some persons would not consider a man drunk unless he was lying down on the grass and holding on to it to keep from falling. These parties come into the barracks frequently. Last Sunday night we had no less than ten or twelve young men who were the worse of liquor.

7714a. Do you think they came there for the purpose of disturbing you?—They did not disturb us very much last Sunday, but they have come there the worse of liquor for the purpose of disturbing us. I may also mention that in going the rounds of this town with an officer we find a great deal of poverty in families, through the natural supporter having spent his earnings on liquor, and the children were at home without food. In some cases I have known where the bread has been taken out of the house and sold for liquor. That is not generally known. Most people do not go down as low as we do and find out these things.

7715a. Were these young men punished who caused this disturbance last Sunday?—There was no disturbance last Sunday night, they merely came there.

H. WINTERHALT, of Berlin, on being sworn, deposed as follows:—

By Judge McDonald:

7716-7a. How long have you lived in Berlin?—Six years, next December.

7718a. How long have you been constable?—Before I came here I was constable in the village of Hespeler.

7719a. How do you find the character of this town for sobriety and good order?—I find it all right.

7720a. How large a police force have you here?—Only one, myself.

7721a. Do you find you are able to keep good order in the town?—I have always tried to do so.

7722a. Did you hear the evidence just given by the Salvation Army officer about the difficulties that occur occasionally at the barracks?—They do not happen very often, once in a while.

7723a. Have you been there to quell disorder?—Once in a while.

7724a. Have you found that the persons who were committing that disorder, were under the influence of intoxicating drinks?—The last time I was called in, there was only one person under the influence of intoxicating liquor.

7725a. Have you much or little drunkenness in Berlin?—Not very much, for the population we have here.

7726a. When you see a man on the streets under the influence of liquor, but going quietly towards home, do you interfere with him?—Not if he goes home quietly, but if he is not able to do so, I take him and put him in the lock-up, and keep him till he gets sober, and then let him go home. If he is disorderly, I take him before the Magistrate and fine him.

7727a. Have you many cases of disorderly conduct through the year?—Not for a while back.

7728a. Are many of them attributable to intoxication?—I have had only six since last January who were so intoxicated that I had to arrest them. You will find here and there a man who will get a little full, but he goes about his business.

7729a. Are the men whom you do find intoxicated outsiders who have come to town, or are they Berlin people generally?—Some of them are outsiders.

7730a. Have you much poverty in Berlin, so far as your observation goes?—No, not much. We have a few families who need help, perhaps three or four, that is all we have, to my knowledge.

7731a. Can you tell whether, in the case of those three or four families, their poverty is to be attributed to intoxicating drink?—There is one, but it is poor management among themselves.

7732a. And the others?—There is only one I know of, a man who takes his glass, but is not to say a drunkard. He squanders everything he earns.

7733a. Have you had any experience in the working of a prohibitory law anywhere?—I have not.

7734a. Would you favour the enactment of a prohibitory law that would prevent the manufacture, importation and sale of intoxicating drinks for beverage purposes?—That is a matter for the public to say, not for me as an officer. I would prefer not to express an opinion.

7735a. A man who is locked up in the way you speak of, and then sobers off and you let him go, does he appear in your reports?—No. We had six such cases, and none of them appeared again—I mean six since the first January to the present time.

By Mr. Clarke :

7736a. Do they appear in the record of arrests?—No.

7737a. Do you put down their names when you arrest them?—Yes, those that are punished. Men that have taken a little too much, I take them and put them in to keep them off the street, and when they are sober we allow them to go home.

7738a. Are their names put down as having been arrested?—No, they are merely taken off the streets. There have been only six such cases since the first of January.

7739a. How do you find the license law carried out here?—It is carried out correctly, so far as I know.

7740a. Is it your duty to look after it?—On Saturday night the bell rings at seven o'clock, and the bars are all closed up. On other nights the hotels close up at eleven o'clock and sometimes before.

7741a. Is there a bell rung here that you call a curfew bell?—Yes, nine o'clock, for the children to go home. But if there is a concert or a show, we leave them out longer. But other nights they have to go home at nine o'clock.

7742a. Do you know of any other municipality where the arrests of persons intoxicated, are not made matters of record?—No, not that I know of.

7743a. You see we cannot get accurate statistics of drinking and drunkenness in Berlin until we know how many people are locked up for safe keeping over night and discharged?—There were only six from January up to now. Two of them were punished, and the others were put in to sober up.

7744a. There would be no record of the arrests of the other four, only of those who were punished?—No.

JUDGE McDONALD :—As there is no other gentleman here who wishes to give evidence, I declare the sittings of the Commission closed. The Commission will meet in Guelph to-morrow morning at ten o'clock.

The Commission adjourned.

GUELPH, October 18, 1893.

The Royal Commission on the Liquor Traffic met in the Town Hall this day at 10.30 a.m.

Present :

JUDGE McDONALD,

MR. E. F. CLARKE,

MR. G. A. GIGAULT.

JUDGE McDONALD: The sitting of the Royal Commission on the Liquor Traffic is now open for the dispatch of business. I have to explain that the Chairman, Sir Joseph Hickson, who has just returned from Europe, is not yet able to be with us. Rev. Dr. McLeod, of Fredericton, N.B., was obliged to leave us temporarily at Windsor. The subjects upon which we have been charged to obtain data, are as follows:—

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 result of those measures in each case.
4. The effect that the enactment of a prohibitory liquor law in Canada would have in respect to social conditions, agricultural business, the industrial and commercial interests, and to the requirements of the municipalities, the Provinces and the Dominion; and also as to its capability of efficient enforcement.
5. All other information bearing on the question of prohibition.

Her Majesty's Commission was opened at Brockville on the 2nd October, for this Province; consequently it is not necessary to read the letters-patent again. The usual rule is to commence by calling the Chief Magistrate of the town, and as His Worship the Mayor is present, I will call upon him.

W. G. SMITH, Mayor of Guelph, on being duly sworn, deposed as follows:—

By Judge McDonald :

7745a. How long have you lived in Guelph?—All my life.

7746a. How long have you been Mayor of the city?—This year.

7747a. What is the population of the city?—About 10,000.

7748a. Will you name some of the manufacturing industries of your city?—Bell & Co., organs and pianos; Raymond, sewing machines; Armstrong, wagons and axles; The Guelph Woollen Mill Co.; and three companies engaged in the manufacture of carpets, viz.: Burrows Bros., McArthur, Son & Co., and Armstrong & Co. Then there is James Goldie, flouring mill; Hillerton, oatmeal mills; Toten Bros., agricultural implements; T. Gowdie & Co., agricultural implements; and a great many carriage manufacturers.

7749a. In addition to the men employed in these factories, have you a large number of factory hands living in the county?—Yes, there is a large number.

7750a. Are these men of different nationalities, or are they mostly Canadians?—Mostly Canadians, I should say.

7751a. From your knowledge of other places, can you speak of Guelph as being a law-abiding and orderly town?—I am not sufficiently acquainted with other places to make a comparison, I am familiar with the city of Guelph, having lived here all my life. I consider the community improving from year to year.

7752a. The character of the population often has something to do with a city in that respect, particularly where there are many factory operatives employed. How do you find that class in Guelph?—Well, without considering, I hardly know what to say.

7753a. You can say from your observations whether they are a well-behaved and industrious class of people?—My general impression is that they are fairly so.

7754a. Is this to any extent a large railroad centre?—There are no railroad shops here. We have the Canadian Pacific and the Grand Trunk Railways, but Guelph can scarcely be considered a railroad centre.

7755a. You have a Police Magistrate?—Yes.

7756a. In this city we understand you are under the Provincial license law?—Yes.

7757a. We have also been informed that at one time you had the Scott Act in force in the city of Guelph?—Yes.

7758a. How do you find the provisions of the license law carried out by those who are engaged in the traffic?—Well, that is rather a broad question.

7759a. There are provisions in the law requiring the closing upon week nights at certain hours, on Saturday nights at seven o'clock, and over Sunday until a certain hour on Monday morning; also that liquor shall not be sold to minors or to Indians. Speaking from general observation as a citizen, how do you find these regulations observed?—I would say they are fairly well observed. You will find it a very difficult matter to get a strict observance of the law; and when the liquor sellers are brought up, it is very difficult to get a conviction.

7760a. Is there much drunkenness upon your streets?—Do you mean compared with former times?

7761a. Comparing the present period with former times, has there been an improvement?—In regard to drunkenness on the streets, my place of business is placed in the centre of the city; and according to my observation, during the last ten years drunkenness has been steadily decreasing from year to year. One reason why I state that is that previous to the vote upon the Scott Act, one of the advocates of the Scott Act made a statement that he had gone round through certain places in town and found I do not know how many men under the influence of liquor, but it was a very large number. That statement was contradicted by others, and for my own satisfaction at the time, one Sunday afternoon I counted, within half an hour, eleven men passing my corner under the influence of liquor; and it would be a very difficult matter to count that number any day now. I have tried it frequently since as a test.

7762a. To what do you attribute the change?—Moral sentiment. It is not so respectable now to drink.

7763a. Have you observed during the last few years that there has been a growth of temperance sentiment and temperance habits in the community?—Yes, I think so. Owing to the efforts of temperance workers and advocates, the moral sentiment of the people seems to be rising in that respect, and it is not so respectable to drink.

7764a. What was the effect of the Scott Act in the community as to producing sobriety and temperance?—As far as my observation went, during the time of the Scott Act there were not as many drunken men to be seen on the streets as formerly. Of course, whether there was as much street drinking, as some state, I do not know; but I mean on the streets where I had a chance of observing them. To my mind, during the three years the Scott Act was supposed to be in force, there was not as much drunkenness on the streets by any means.

7765a. Are you able to say whether during that time liquor was sold in the city? I never saw it sold for drinking purposes.

7766a. Did you notice whether there was a beneficial effect produced upon the business interests of the city when the Scott Act was in force?—That I could not say—at least it never occurred to me that the Scott Act interfered with business.

7767a. Do you mean neither one way nor the other?—Neither one way nor the other.

7768a. Are you able to say whether the liquor traffic interferes with business either in one way or the other?—My opinion of the license traffic is that if there was no liquor sold, people would have more money to purchase all the necessaries of life, and would be in a better and happier state. My opinion is that where a large amount of money is spent on liquor, in the way in which it is done, the merchants and manufacturers are deprived of a certain proportion of it.

7769a. Have you found in your own business that your interests are affected to any extent by the less purchasing power upon the part of the people, or by people who do

W. G. SMITH.

purchase, not paying for what they buy as well as they otherwise would?—Yes, and those who are in the habit of using liquor to excess are not so reliable as those who do not.

7770a. Then your choice would be that all your customers should be total abstainers?—Yes. I may say that while the Scott Act was in force I noticed that farmers left town for home very much earlier than they did before that time or since, because they found it impossible to indulge, so to speak. During the Scott Act I have seen passing my door fewer farmers driving home under the influence of liquor, than I saw before or since.

7771a. Would the result of your observations be that the effect of the Act on the city was beneficial?—I think it restrained the drinking habits of the people.

7772a. Do you know of any drawbacks connected with it?—Well, there were a number of drunkards that I have heard spoken of. For instance, I have observed myself that when cases were brought up under the Scott Act for violation of the law, those who were in a position to know considered that the witnesses were not exactly telling the truth. That was their opinion.

7773a. Did it appear that there was a greater amount of that state of things—I suppose we might almost call it perjury—in Scott Act cases than in other cases, relatively speaking?—I do not know that there is a greater amount, because to-day if there is a liquor case brought up under the license Act—

7774a. I mean, taking cases of other kinds apart from the liquor traffic, have you found there is as much perjury?—I have not given that matter much consideration.

7775a. Were you yourself a supporter of the Act?—I was a supporter of the Act. I was in the Council at the time it was put in force, and was Chairman of the Police Committee.

7776a. Did you support the repeal, or oppose it?—I did not do either refrained from voting.

7777a. From the record before us it appears that the Act was carried in the city of Guelph in 1885, by a majority of 168, and repealed in 1889 by a majority of 449. How do you account for the change in sentiment?—My opinion is that the temperance people never advocated the Scott Act, they did not believe in it, they only accepted it as a compromise; and when they found there was a weakness in enforcing the Act, they gave it up, just let it go, and took no stock in it.

7778a. Your view is that it was beneficial?—My view is that it restrained the drink habits of the people to a certain extent.

7779a. Under those circumstances, how can you account for the change of sentiment in the supporters of the Act?—A great many supported the Act because they thought it would be a good thing, who were not really temperance people. The impression was that it was hard to get a conviction. There did not seem to be any desire to put the Act strictly into force, and a good many said, we might as well have license as have this state of things.

7780a. How do you account for the lack of a desire to put the law into force?—Want of sympathy with it.

7781a. On the part of whom?—By those who were charged with doing it.

7782a. Were those Government officers?—Yes.

7783a. Police officials?—Yes.

7784a. Was there any attempt made to overcome that difficulty?—There was, but it was not heeded.

7785a. Did you notice whether, after the Scott Act came into force, the temperance societies relaxed the efforts they had previously been making on behalf of temperance?—It never struck me so.

7786a. We have been informed that in some communities, after the Scott Act was carried, it was supposed that the end was then attained, and, to use a common expression, they laid upon their oars. How was it in this section?—Some of them may have done that.

7787a. The Act then was disappointing in its results to those who had carried it?—Yes, that is my opinion.

7788a. Has any attempt been made since to carry it again?—No.

7789a. Did you have any experience of the effect of the Act in the County of Wellington outside Guelph?—I have no personal knowledge, except what I heard.

7790a. Do you yourself favour the enactment of a prohibitory law for the whole Dominion, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—I do. If the Government would follow it up in the same way in which they follow up illicit distilling, make a thorough business of it, my opinion is that it would be a good thing for the country.

7791a. To which Government would you commit the carrying out of the law?—Whatever Government is responsible for it.

7792a. Of course you know that what are called criminal laws are passed by the Dominion Government, but the enforcement of them is carried out by the Provincial authorities. Would you make an exception in the case of this law, and have the power that passed it also carry it out?—My opinion is that a prohibitory law would not be successful in the city of Guelph if the surrounding country was under license; in the same way I think that if it was passed in one Province and not in all of them, it would not be successful.

7793a. When the Dominion Parliament passes a criminal law, it is administered by the Provinces; the sheriffs and all the officers are appointed, and the expenses of criminal justice are paid, by the Provinces. Now in case a prohibitory law were enacted by the Dominion, would you commit its enforcement to the Dominion authorities, or to the Provincial authorities in each Province?—I think both ought to be responsible.

7794a. If such a law were enacted, would you except from its provision the manufacture or importation of liquor for medicinal, mechanical and sacramental purposes?—I would have it manufactured by the Government in the same way as they manufacture methylated spirits to-day, and hold them responsible for it.

7795a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—I would consider that they should have either a fair compensation, or a sufficient notice of the enactment of such a law. I do not think that it should be done abruptly without some consideration being shown them.

7796a. Are you yourself engaged in mercantile business?—Yes.

7797a. It is stated there is a revenue to the Dominion at the present time of six or seven million dollars from this traffic, several hundred thousand dollars to the Province, and various sums to the different municipalities. Have you considered how this revenue would be made up in case of the enactment of such a law as you speak of?—I take our corporation as an example. We were told that the loss of revenue to the corporation from licenses would be tremendous, that we could not stand it. I think it is all nonsense. The decrease in wretchedness, poverty and misery throughout the country, and the increased power of the people to work and accumulate wealth, would more than make up the loss of revenue.

7798a. I want to understand how the authorities are going to get at that wealth to make a revenue?—They would have a great deal less expense to meet in one way. When they are short of revenue now they simply increase the customs, or the tariff duties. When they are short of two or three millions, as they are sometimes, they put on higher duties.

7799a. Do you know on what they have been generally in the habit of putting higher duties?—The tariff list is so long that I do not remember.

7800a. I think the sugar duties were changed recently with the effect of decreasing the revenue from that source by about three millions, and we are told that a million and a half of that sum was made up by an additional tax upon liquor. Now, have you considered in case the liquor traffic was abolished, upon what other articles an increased tax should be imposed, or would you favour direct taxation?—I would sooner pay direct taxation.

7801a. In order to have the law itself you would be satisfied to submit to direct taxation?—Certainly.

7802a. And the same with regard to Provincial and municipal revenues?—Yes.

W. G. SMITH.

7803a. You believe the paying power of the people would be so much larger that it would not be felt?—I think in the course of two or three years it would not be felt at all.

7804a. Do you know any country in which such a law as you favour, is in force?—I do not.

7805a. Is there any statement you would like to make yourself in regard to this question?—I take this ground, that I do not believe in licensing an evil and I believe that selling liquor for drinking purposes is an evil. I believe the Government should enact a prohibitory law for the prohibition of the manufacture, importation and sale of intoxicating drinks for beverage purposes; and that whatever is used for mechanical or medicinal purposes, should be manufactured by the Government, and they held responsible for the sale of it.

7806a. When the Scott Act was in force, the fines were turned over to the municipalities for the purpose of enforcing the law?—A portion of them.

7807a. Eventually the whole of them went to the municipalities by the Order in Council of the Dominion Government?—We only got a portion at one time.

7808a. Do you know whether they were all used in this city for the purpose of enforcing the law, or did they go into the Town Treasury?—I could not say about that. That is a point I have not looked into at all. I know that at first there were a great many fines, and afterwards they fell off. But I always understood from what I gathered from the books, that a part of the fines went to the Government and a part to the city. I may be wrong in that respect.

7809a. You think the Act was not carried out as well as the people expected it would be?—No.

By Mr. Clarke :

7810a. Why was it not carried out in Guelph?—My own idea is that it is difficult to enforce prohibition in any locality where liquor is manufactured and sold in the surrounding localities.

7811a. I suppose the same argument would hold good regarding the Province?—I think so.

7812a. What about the long frontier we have? How would you prevent importation?—In the same way as you prevent the smuggling of goods across the border.

7813a. Would you prohibit the importation of liquor for domestic purposes, for private use, in the prohibitory law you wish to obtain?—Yes, I would make it strict throughout.

7814a. You would not prevent any person from importing liquor for his own use and using it himself?—Yes, that is what I mean by preventing importation.

7815a. Would you prevent farmers from making cider from their own apples, or from making domestic wine from grapes grown by themselves?—I have not considered that subject at all.

7816a. Would you prevent him from making beer or home brewed ale?—I have not thought about that at all. My idea is to prevent the sale of liquor throughout the country.

7817a. But we would like to get your views regarding the importation for private use and the manufacture for private use?—I suppose if a person wanted to brew for himself, he could do so.

7818a. You would allow them to make it for themselves; but you would not allow them to import it for domestic use?—That is a subject I have not considered.

7819a. Would you allow them to make whisky for their own use?—No, I do not think I would.

7820a. Where would you draw the line?—I would draw the line at the manufacture of whisky.

7821a. You would not allow it to be manufactured?—No, I would have prohibition straight out. I do not believe in the liquor traffic at all; that is the plain English of it.

By Mr. Gigault :

7822a. If a general prohibitory law did not produce better results than the Scott Act, would you favour its enactment?—Yes. I have said that I did not believe in the Scott Act for the reason that I do not think it is a satisfactory solution of the question. I believe in prohibition pure and simple.

7823a. But should a general prohibitory law not produce better results than the Scott Act?—Yes, it should, certainly.

7824a. And you favour the enactment of prohibition?—Yes.

7825a. Even if it did not produce better results than the Scott Act?—Yes, even if it did not.

7826a. Even if it did not prevent drinking?—I still affirm that I believe the Government that enacted a prohibitory law, should also put the machinery into force to carry it out, the same as they do with any other law, the laws against stealing, or murder, or defrauding the Government.

7827a. But if, in spite of all the efforts of the Government, a general prohibitory law would not produce better results than the Scott Act has done here in Guelph, would you favour its enactment?—Yes, I believe it can be done; I do not believe there is any "if" about it.

7828a. The friends of the Scott Act, contended that the Scott Act could be enforced?—Of course some did, and some did not. There was a divided opinion about it. Some Scott Act people thought it was a good thing and could be enforced, others did not think so.

By Judge McDonald :

7829a. Before it was enacted, was there a difference of opinion?—Oh, yes.

7830a. Some people supported it then with much less hope than others?—Yes.

By Mr. Clarke :

7831a. Is there a difference of opinion still regarding the Scott Act?—Yes, I find some people favour it still, and some do not.

7832a. But there has been no movement to have it submitted again?—No, I do not think the majority of them would favour submitting it again, because they saw a lack of interest in enforcing it. It is not enforced in the same way as the law against theft or murder.

7833a. How do you account for the non-enforcement of that law as vigorously as the law against stealing?—Want of sympathy.

7834a. Would you put the taking of a glass of beer under the Scott Act in the same category as stealing a coat or a hat?—My own idea is that selling liquor is wrong. I am opposed to it straight, I have no hesitation in saying that.

7835a. Was the Scott Act an educator during the time it was in force?—I have already said that during the Scott Act I believed the drink habits of the people were very much lessened. There was not the same amount of treating going on that I have seen. Where my place of business is I have an exceptionally good opportunity of seeing the results of the liquor traffic. Yesterday afternoon I saw a man lying down drunk in front of one of the hotels, and I called the attention of a man beside me to the fact that the hotel-keeper's sign had fallen down and was lying stretched on the sidewalk. I consider that the liquor traffic is debasing and demoralizing, and injurious, not only to the man, but to the public at large; and if this thing could be cleaned out of the country so that it would not be used, it would promote happiness, peace and prosperity where there is now a great deal of misery. While I was chairman of the relief committee for two years I had an opportunity of knowing the circumstances of those who came for relief. I think if you were to consult the books of our relief officer for the last 15 years, you will find that 18 or 19 cases out of 20 that came for relief were persons who were in want either directly or indirectly through the use of liquor. We spent in relief nearly as much as we got in revenue from the licenses, not saying anything about the police court fines.

W. G. SMITH.

By Judge McDonald :

7836a. Is that the case at present?—Yes.

7837a. Take the Scott Act as it was and the license law as it is, which would you prefer?—I am opposed to license at all on principle.

7838a. I mean in view of results?—I would sooner have the Scott Act.

7839a. I understood you to say that you voted for the Scott Act when it came into force, and that you did not vote at all on the question of repeal?—Yes.

7840a. Did many abstain from voting on the question of repeal who previously supported the Act?—I think so, a great many.

7841a. If the state of things under the Scott Act was better than under the license law, how do you account for their abstaining to maintain it, and allowing it to be repealed?—In the hope that something would be done towards prohibition.

By Mr. Clarke :

7842a. What is the effect upon the morals of the people of having a law on the Statute-book which is steadily and persistently violated for three years?—Well, it is confined to a limited number.

7843a. But I understand that the law was not very rigidly observed?—It was rigidly enforced at first, and observed by those who were in the business before, but after awhile they found that they could sell.

7844a. What was the general effect of this relaxation in enforcement on the moral sentiment of the people?—It was not a good thing.

7845a. Is the license law pretty well observed?—Fairly well.

7846a. Yet you believe that the condition under the Scott Act was better than the present?—Just because I do not believe in licensing. That is the principal ground I take.

7847a. Would you favour the free sale of liquor under police regulations and restrictions as to hours of closing, etc., rather than a license system?—No, I do not think I would. I prefer prohibition straight.

7848a. In Charlottetown the people hold similar views to those which you entertain, and since the repeal of the Scott Act they have free sale of liquor under certain police regulations. You would not favour free sale?—No, I would not personally.

7849a. Have you studied the effects of prohibitory laws upon the States of Kansas, Maine, Iowa and other communities where they have been in force for years?—I have not studied them, but I have read about them in the papers, and I think that a similar law would be a good thing for ourselves.

By Judge McDonald :

7850a. Did you find while the Act was in force that the officials to whom the duty of enforcement was committed did their duty fairly well?—That is a very difficult question to answer.

7851a. Were complaints made to the Government in regard to those officials not doing their duty?—There was at one time a representation made to the Government, but I never heard the result of it.

7852a. Was any change made in the officials?—No.

7853a. Did you notice whether there was afterwards a more efficient enforcement of it?—I cannot recollect just now from memory.

7854a. Your own belief is that total prohibition for the whole Dominion is the only system that can effectually deal with the evil arising from the liquor traffic?—The only satisfactory system.

By Mr. Gigault :

7855a. Did you see any drunken people in Guelph while the Scott Act was in force?—Yes, but not so many as I did before.

By Mr. Clarke :

7856a. And since?—I have already said that there seems to be a decrease in the drinking habits for the last eight or ten years, we see less results of drinking, and by results I mean seeing men walking past drunk.

By Mr. Gigault :

7857a. To what do you attribute the improvement?—To a better moral sentiment.

By Judge McDonald :

7858a. I suppose the religious communities and temperance societies are doing their best?—The different denominations are much more in favour of temperance now than they were. The temperance sentiment and feeling in all the churches are increasing, so far as my observation goes, and I have had a good deal to do in that respect.

By Mr. Clarke :

7859a. Was the partial success of the Scott Act due in any degree to a lack of public sentiment in its favour?—There was a difficulty in getting convictions.

7860a. And of course there was a difficulty, I suppose, because the sale was legal in other counties, and liquor was being manufactured here?—Those were difficulties.

7861a. Would public sentiment have anything to do with the success of a prohibitory law? Supposing that 60 per cent of the people were in favour, and 40 per cent against, would you think it possible under those conditions to enforce a prohibitory law?—I would think so. I would like to see a strong sentiment behind me. My idea is that the only way to get at a knowledge of the public sentiment is to take a vote of the people, give them a chance to say.

7862a. Supposing that in some Provinces the vote was adverse, would you bring those Provinces under the operation of a prohibitory law?—The majority should rule.

7863a. Within the Province; but if a majority in any one Province was opposed to a prohibitory law, would you enforce it on the people of that Province?—Yes. I would make it a Dominion law, the same as we do now, in reference to the tariff and like questions, where the majority in the whole Dominion rule.

JUDGE McDONALD. I have a letter from Mr. Buck, Medical Superintendent of the London asylum, acknowledging the receipt of a communication asking him to be here, and regretting that owing to his being engaged in a murder trial at St. Thomas, he is not able to attend.

J. B. POWELL, Inspector of Inland Revenue, appeared and produced the following statement. (Appendix No. 2.)

F. W. RANDALL, of Guelph, Chief of Police, on being duly sworn, deposed as follows:—

By Judge McDonald :

7864a. Were you Chief of Police during the time the Scott Act was in force?—Yes, and have held office since until the present time. I produce a statement showing the number of persons arrested for being drunk and disorderly, by the police in the city of Guelph, from the 1st of May, 1886, which was the first year of the Scott Act, to the 1st of October, 1893:—

Year.	Arrests.
1886-87	93
1887-88	165
1888-89	129
1889-90	77
1890-91	65
1891-92	74
1892 up to October 1st, 1893	103

W. G. SMITH.

The last period is from May 1, 1892, to October 1, 1893. The Scott Act went out of force on May 1, 1889; and since then we have had the Crooks Act.

7865a. Now, how do you account for the increase of arrests during the Scott Act period, from 93 in the first year to 165 in the second year, and 129 in the third year? His Worship the Mayor has told us that during the Scott Act period there was less drunkenness visible upon the streets than there had been previously under the license law?—My opinion is that there was more drunkenness under the Scott Act, as these figures show. The police had more work to do, and more trouble, as the eating and drinking houses were open night and day.

7866a. Was liquor sold in these places?—They had soft drinks, as they called them; they gave different names to these soft drinks. They had lunches on the counter, such as pies, cold meats and biscuits, and people went into these places to have lunch at all hours of the night. Then they had soft drinks there, such as ginger beer and other mixed drinks that they said contained no liquor. During this time there was no law to control or shut up these places, and they kept open at all hours of the night. People had free access into them as late as three or four o'clock in the morning, and even until six o'clock.

7867a. Had you reason to believe that the liquors sold in these places were temperance beverages?—I went in and visited many of them, and tasted of the stuff they had there, but I could not say that it was intoxicating liquor, because it tasted like ginger beer.

7868a. Then what injury was there in keeping these places open if they sold temperance beverages?—They were an inducement to people to go there and remain all night away from their homes. There used to be three or four in a gang going to one place, where they would remain an hour and then come out and remain on the streets until two or three o'clock in the morning.

7869a. Is there any law now to prevent those things?—Yes. At that time they were able to make a living, but they cannot now. The licensed places now shut up at ten o'clock, when the people have to leave. The bars are closed, and these men have no other place to go to.

7870a. But if these places were conducted on temperance principles and no intoxicating liquors could be obtained in them, the license law would not affect them when it came in, and why should they not continue at this night trade?—The hotels take their places.

7871a. But they are closed up at a certain hour now, and these other places you speak of at which temperance beverages and refreshments were sold, did this thriving business all night, and why should they not keep open now?—Because they cannot make a living.

7872a. Why not?—Because these people will not patronize them as they did during the time of the Scott Act.

7873a. Had you reason to believe that in these places other than temperance beverages were sold?—Yes.

7874a. Why?—People were going in and out, which showed there must have been something to draw them there beside the free lunch.

7875a. Did they ever show the effects of intoxicants upon them after they came out?—Yes.

By Mr. Clarke:

7876a. As a matter of fact, they were selling strong liquor all the time, regular dives, kept open all night, and selling whisky and everything else?—They sold liquor in such a way that we found it very hard to reach them. We had some of them up and tried to convict them, but these parties went into the box and swore to deliberate falsehoods, or perjured themselves. It was a known fact.

By Judge McDonald:

7877a. Speaking from your experience, have you found there existed any great degree of perjury in cases under the Scott Act?—There is no doubt about it. It was my opinion and that of others that most respectable men went into the box and swore falsely

that they did not know what they were drinking, and it was the general opinion that there was perjury committed.

7878a. Did you know whether persons who, in ordinary cases in courts of justice, would give evidence that could be relied upon, gave evidence of a different character in connection with the Scott Act cases?—Yes. It was a thing foreign to Guelph, we never remarked that there was perjury committed here until the Scott Act came into force. After that, it became a common thing for men to go into the box and state that they never took anything in these places.

7879a. Did you ever have prosecutions under the License Act?—Yes.

7880a. How with regard to them?—That custom is dying out in Guelph, and it is a rare thing now to find a man going into the box and making statements such as they made during the Scott Act.

7881a. Did you find while the Scott Act was in force that it produced good results in the community?—No.

7882a. In no way?—At first it was thought by people generally that it could be enforced, and that was my opinion. The first week the Scott Act was in force I had three parties up, and they were fined \$10 each. They had opened dives, and two of these men cleared out of the place. I thought myself that the act would be a success, but afterwards an opinion seemed to gain ground among the people that there were something wrong with the law, that it was not what they expected it to be. There was a division; people came to be evenly divided for and against it, and on that ground it was more difficult to enforce the law. If a large majority of the people had been in favour of the Scott Act it would have been easier to enforce it, but where there was a stronger party against it, it was more difficult for the officers to enforce it. I think if all the people were in favour of the Scott Act, it would be easier to enforce, and perhaps we might have better results.

7883a. Then from your experience you think the state of public sentiment has something to do with the enforcement of a law?—Certainly, the same as a criminal law. For instance, the people are in favour of putting down burglary, they give information to the authorities and help to trace the criminal. The officer would find it a very difficult matter to trace out criminals if they did not have the assistance of civilians.

7884a. Do you find that in cases of burglary, larceny, and things that are crimes in themselves, there is some injured individual who puts the law in motion?—Yes.

7885a. Did you find a lack of that in enforcing the Scott Act?—I did, very much. In fact I have known from experience that those who voted for the Scott Act turned right round and changed their minds altogether. They would not assist the officer in enforcing the Scott Act, but tried to obstruct them and keep them from getting convictions.

7886a. Had you many cases of second and third offence under the Scott Act, and was there an increased penalty inflicted?—Yes, there were quite a few.

7887a. Were many sent to jail?—Some, I could not say the exact number.

7888a. Now as time went on did you notice whether the law became any more effective, or did it become less so?—It became more lax, until at the end it became partly a dead letter.

7889a. Did you notice anything of its effects in the county outside Guelph?—Yes.

7890a. How did you find it worked in the county?—There were the same complaints in the county that we had here. The trouble was that you could step out of the county of Wellington into Crooks Act counties where liquor was sold under license. I think it is impossible to enforce a prohibitory law unless it is made universal all over Canada. Without a large majority of the people in favour of it, it is impossible for any officer, no matter how many you may have, to enforce it thoroughly.

7891a. Will it be sufficient to have a large majority in favour of it unless that large majority actively helps in carrying out the law?—It can never be enforced unless they assist the officers.

7892a. The mere fact of voting in favour of a law would not make it a success unless they worked for it afterwards?—They must turn in and assist the officer.

F. W. RANDALL.

7893a. We find that the law was carried in Guelph by a majority of 168 and then it was repealed by a majority of 449. To what do you attribute the change of sentiment?—The majority of the people thought that it would be a good thing for the city if the Scott Act became law, but after they saw how it worked and saw the result of it, they turned completely round. When they saw there was more drunkenness in Guelph during the time of the Scott Act than there was in any previous three years, they changed their opinion and did not vote at all on the question of repeal. I want to say here that drunkenness is becoming less each year; there is a decided change for the better so far as Guelph is concerned. I do not think there are half a dozen habitual drunkards in Guelph. The churches and temperance societies are working in the matter and in a few years, I think, there will be very little drunkenness.

7894a. In the County of Wellington I notice from the returns that the Scott Act was carried by a majority of 1,430; when it was repealed there was a majority of 1,360 against it. To what do you attribute the revulsion of sentiment in the county?—I suppose to the same causes as in Guelph.

7895a. Do you notice whether the prohibitory enactments of the license law are well carried out in this city, I mean the non-sale upon Saturday nights and Sundays. the non-sale to minors, Indians, &c. ?—We have no great occasion to grumble about the hotel-keepers here. Taken altogether, they are doing fairly well. Drunkenness is very seldom seen on a Saturday night and Sunday. You may see occasionally one on the street on a Saturday night, but he gets hauled in or taken to his home. When they take too much they appear on the street, and they admit that they got liquor in the hotel. There is no doubt that hotel-keepers try to sell liquor during prohibited hours. It is sometimes difficult to catch them, but I think if the Crooks Act was strictly enforced, it is a good Act.

7896a. What custom prevails in Guelph in arresting men for drunkenness?—If you find a man upon the streets under the influence of liquor, but going quietly home, is he interfered with?—Under the latest Act passed, if a man is quiet on the street, the police are not supposed to arrest him, but to see that he gets home.

7897a. Has it always been so since you were Chief of the force?—No, previous to that we always arrested a man when he was drunk on the streets, and locked him up. Since then we either see that he is sent home, or we put him into the cells until he is sober, and then allow him to go home.

7898a. Would that change make any difference in these statistics?—No, because they have to appear before the Magistrate the next morning.

7899a. Then these statistics are not affected by that new law?—No. We do not count men that are not brought before the Magistrate.

7900a. But does this change in the law account for the fact of there being more arrests formerly than there are now?—No, because a man who is incapable of going home, is taken before the Magistrate and fined, just as he always was.

7901a. Have you noticed, in your experience as a police officer, whether any large amount of the crime committed by the persons charged, may be attributed to intemperate habits on their part?—Of course we must attribute to liquor a majority of the crimes committed.

7902a. Does that apply to cases of assault?—They generally arise from liquor.

7903a. Petty larceny?—Yes.

7904a. We are told that in some cases men become so addicted to drink that they will steal something and sell it in order to get liquor with the proceeds?—That is my opinion.

7905a. How is it in regard to the more serious crimes, such as burglary, forgery and arson?—Burglary cannot usually be attributed to liquor, because the most expert burglars do not drink, they are cool and collected. They know they are going on a serious mission, and they want to have all their wits about them.

7906a. How in regard to arson and forgery?—They cannot be attributed usually to liquor either, because a man who goes to burn a place down, if he is doing it from personal motives, will not go while under the influence of liquor, although in some cases they do. In my experience, men who have committed arson have been men of some intelligence, and when they committed the crime we have found they were not under the

influence of liquor, nor in fact were they given to liquor at all. A man who goes to set fire to a house will not get drunk, for he knows he might be caught.

7907a. Do you find there prevails a system in many places of sending drunkards to jail for short terms when they are unable to pay a fine, and do you believe that system results in any benefit to the prisoner?—Yes, because it will give him a chance to sober up.

7908a. Does it reform him?—It may.

7909a. Have you known of any cases?—Yes, where we have sent them for a week, it has produced good results. In the first place, they have been a whole week without getting liquor. Then they have had time to consider the matter and may give liquor up altogether. But if a man pays his fine he will get liquor again that same evening or the following day.

7910a. Have you found any chronic cases in which people go through a great many of these committals?—No, not many. Sometimes the friends of a man will come to me and ask me to get the Magistrate to commit him to jail for a week to sober off; and when that man came out he would keep from liquor for six or twelve months.

7911a. It has been stated to us that in the case of chronic drunkards with whom it is, as it were, a procession between the bar, the police court and the jail, it would be well if they were committed for a longer term to some institution where they would be treated and made to work. Have you considered the advisability of a plan of that kind?—It might work well in exceptional cases, but it would be rather hard on some men who are inclined to drink very freely. They work for a week or two and then go on a spree for two or three days; but if that man was sent away, what would his wife and family do for maintenance? If a man had no care to provide for, it would be a different thing; but if he has a wife and children, they would be sure to suffer if he was sent away for a long term.

7912a. You have a great many factory operatives in Guelph?—Yes.

7913a. Are they law-abiding as a class?—A very orderly and sober people, take them altogether. I think Guelph will make a better showing with regard to the good conduct of our operatives than any other city or town in Canada.

7914a. Do you find that the religious communions and the temperance societies are all at work producing beneficial results?—They are.

7915a. Would you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of intoxicating liquor as a beverage?—If it could be made universal over the whole Dominion, but not otherwise, after our experience with the Scott Act.

7916a. Do you think the enactment of such a law for the Dominion would of itself be sufficient, or would you require after that the assistance on the part of the public of which you have spoken?—I think it would be necessary to have a large majority in favour of the enforcement of the law; but if there was a division, half for the prohibitory law and half against it, I am afraid we would have the same difficulty that we did with the Scott Act.

7917a. Supposing that a prohibitory law were enacted for the whole Dominion, but that one or two Provinces were strongly against it, would you, from your experience as an officer, hope for the efficient enforcement of that law in those provinces?—No.

7918a. In case of the enactment of a prohibitory law for the whole Dominion, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—Of course the law says now that they shall make their living in that way, it is their calling, and I think it would be hard to refuse them remuneration. When a hotel-keeper sells his premises he is allowed so much for the good-will of the house.

7919a. In case of the enactment of such a law, would you except from its provisions such liquor as might be needed for medicinal, mechanical and sacramental purposes?—If you want to stop the sale of it altogether, you will have to prohibit drug stores from keeping it. That opinion is the result of my experience with the Scott Act.

By Mr. Clarke:

7920a. I suppose you observe the same rule now in arresting drunkards as you did during the Scott Act?—Yes.

F. W. RANDALL.

7921a. What is the population of Guelph?—About 11,000.

7922a. How many police have you?—Three constables and myself.

7923a. You spoke about Guelph comparing favourably with any other city or town in Canada. In Berlin we found a population of 8,000 with only one constable, and where the arrests for drunkenness have been only six since the first of January?—Berlin is a town and we are a city, that has to be taken into consideration. But you do not see many drunken men on the streets here, either night or day. As regards the arrests for drunkenness in Berlin, perhaps the officer does not take those in charge who are merely under the influence of liquor.

By Mr. Gigault:

7924a. How many places were licensed to sell liquor in Guelph before the Scott Act came into force?—I think there were 19 hotels, there are 16 now.

7925a. How many places were selling liquor during the last year of the Scott Act?—I think myself there were 24 or 25 places that were supposed to be selling some kind of liquor, or the soft stuff that they call temperance drinks. After the Crooks Act came into force there were six places that I had to raid and put down, where liquor was sold. I convicted them and closed them up. We have no place in Guelph where liquor is sold illegally, or any dives, as you call them.

7926a. Under the Scott Act, were some of these dives houses of ill-fame?—No, they did not go so far as that.

7927a. How was it on Sundays under the Scott Act?—There was just as much drunkenness on Sunday as on any other day.

7928a. Was there more drunkenness on Sunday under the Scott Act than under the Crooks Act?—Yes, rows on Sunday night and in the day time. On a Sunday a larger number of people went in and out of these places than on a week day, because they were not working on Sunday.

7929a. So Guelph is more orderly now on Sunday than it was under the Scott Act?—Yes.

7930a. According to your statement, the number of arrests of drunkenness has decreased under the Crooks Act?—Yes.

7931a. Has the population of Guelph increased since that time?—I think it is about the same.

By Judge McDonald:

7932a. Did you raid these places during the time the Scott Act was in force?—Yes.

7933a. With what measure of success?—In some cases I got a conviction; but where a number of witnesses would come into the box and swear that it was not intoxicating liquor, but ginger ale or soft drinks, of course the evidence was so strong that the Magistrate had to dismiss the cases.

7934a. Did you honestly endeavour to carry out the provisions of that act?—Yes, I did my best at first, but I saw that the feeling was against it, so it became impossible to enforce the act.

7935a. Do you think that the sentiment in the community should influence you in the discharge of your duties?—I think so. I always like to have the support of the public in the discharge of my duties.

7936a. Supposing you had not their sympathy, would that interfere with your discharging your duty?—It is more difficult then to enforce the law.

7937a. But it would not prevent you from attempting to do your duty?—No, but it is more difficult to do it. There was one case where I had a brewer up for selling liquor, and I got the Mayor to bring the town solicitor to conduct the case, as I thought he could handle it better than I, but I failed to get a conviction on that occasion, because parties went into the box and swore that they did not have liquor.

By Mr. Gigault:

7938a. How many places are licensed to sell liquor in this city?—Sixteen.

A. C. CHADWICK, of Guelph, Judge of the County Court of Wellington, on being duly sworn, deposed as follows :—

By Judge McDonald.

7939a. How long have you lived in the County of Wellington?—Since 1871; but I lived here many years before that, and went to school here.

7940a. Since 1871 have you resided all the time in Guelph?—Yes.

7941a. In the discharge of your official duties are you called throughout the county at large?—I have been until the last year.

7942a. Did you have any opportunity of observing the working of the Scott Act?—Yes.

7943a. How did you find it carried out?—Hardly carried out at all.

7944a. Taking your own city of Guelph, how was it carried out?—Very indifferently; there was a notorious free sale of liquor.

7945a. How do you account for the change in the vote between the time it was carried and the time it was repealed?—I think it was simply that the people refused to have such a law, and they were anxious to get rid of it as quickly as possible.

7946a. In going about through the towns and villages of this county, did you notice how it was carried out?—It was not carried out except in one or two places. In one village I think it was pretty well carried out.

7947a. To what do you attribute this partial enforcement of the law?—Nobody cares to prosecute or give information. They left it to the officials, and the officials did not care to take much trouble. The people did not assist them.

7948a. The state of public sentiment then had something to do with the matter?—Yes.

By Mr. Clarke:

7949a. The vote in the county shows that the Act was carried by a majority of 1,450, and it was repealed by a majority of 1,860. There seems to have been a very large majority in favour of the Act when it was adopted?—I think that a great many voted for it on the ground that although they did not favour the Act, they were willing to try it.

By Judge McDonald:

7950a. Did that class of people vote against it on the repeal?—I think so.

7951a. When there was such a large majority in favour of it in the first place, can you explain why the people who supported it did not back up the officials in the enforcement of it?—I do not know of any particular reason. They simply did not feel, I suppose, that they were called upon to do it.

7952a. Have you noticed, as a citizen of Guelph, whether the requirements of the license act are fairly well carried out?—I think they are very well carried out.

7953a. Do you find this a sober community?—A decidedly sober community.

7954a. As a citizen, do you see much drunkenness on the streets?—Very little.

7955a. How did you find it in the other sections of the county where you visited?—Not much, in some places a little more than others, but as a general thing, a very sober community.

7956a. Have you seen the working of a prohibitory law anywhere else?—I have seen the working of the Scott Act and the Dunkin Act.

7957a. Where did you see the working of the Scott Act?—In all the surrounding counties where it was carried.

7958a. How did you find it in the neighbouring counties?—Just the same as it was here, it was not carried out.

7959a. What is the effect, speaking as a jurist, upon the community of having a law upon the Statute-book which is violated?—It must have a decidedly bad effect upon the community.

A. C. CHADWICK.

7960a. Does it have any effect in the opinion that is entertained of other laws?—It has a tendency to bring law into contempt. For instance, the people in Guelph had a contempt for the crime of perjury during the Scott Act.

7961a. Do you favour the enactment of a law for the Dominion prohibiting the manufacture, importation and sale of intoxicating liquor for beverage purposes?—I do not.

7962a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—Most decidedly they should.

7963a. Is there any statement you wish to make yourself on this subject?—Looking over my note-book for about eleven years I find some very interesting facts. It is often said that drinking tends to crime, and I was curious to see how far that was true in the cases that came before me. But of somewhere about one hundred cases, I noticed two assault cases and one case of neglect to support a wife that had originated to some extent in the drink habits of the accused. There was one case of arson in which the evidence did not show that the man was intoxicated, but it was my impression that he was in a state verging upon *delirium tremens*, and not quite responsible for his actions. In one case of cattle-stealing the man offered as an excuse that he was drunk, but I did not believe it. There was one case where the person was not drunk, but he was anxious to get something, for he stole the liquor. These are the only cases I have noticed out of the total number, which could be attributed to intemperance directly or indirectly.

By Mr. Clarke :

7964a. Was the Scott Act an educator? Did the delegalization of the traffic make it disreputable? Did it help to educate people up to the idea of prohibition?—I think not, but rather the contrary. People were in the habit of drinking as a regular beverage mild liquors that are sold in all good hotels. The consequence of the Scott Act was that mild liquor could not be handled so freely, and the people got to drinking whisky.

7965a. There has been no movement since the repeal of the Scott Act to have it re-enacted?—No.

7966a. Speaking as a citizen, is the condition of things under license preferable to that which existed under the Scott Act?—Decidedly better.

By Mr. Gigault :

7967a. Do you know if crime decreased or increased while the Scott Act was in force?—I have not any statistics on that point.

7968a. I mean ordinary crime, larceny and things of that sort?—I have not taken any notes. Of course there were some cases of assault that arose from people resisting Scott Act officers. That sort of thing may have increased.

7969a. You know not if the Scott Act had the effect of decreasing crime?—I do not think it had any effect in decreasing crime; I should say, if anything, it would be the other way.

By Mr. Clarke :

7970a. Have you any saloon license here?—I do not think there is what you call a saloon license.

7971a. Would you favour giving a license to purely drinking places where there was no accommodation to the public in the way of beds and meals?—Only in large cities.

7972a. Would you favour a policy of refusing licenses to have billiard tables in places where liquor is sold?—I think they had better be separated.

7973a. Regarding the treatment of habitual drunkards, does your present system of committing them for ten, twenty or thirty days, produce any beneficial results?—I have not had opportunities of observing.

By Judge McDonald :

7974a. Have you reason to believe that the officials attempted to enforce the Scott Act?—I think some of them did, some of them did not as energetically as they might.

WILLIAM REYNOLDS, Treasurer of the County of Wellington, on being duly sworn, deposed as follows:—

By Judge McDonald:

7975a. You were County Treasurer during the time the Scott Act was in force?—Yes.

7976a. Under an Order in Council of the Dominion Government, Scott Act fines were to be paid to the municipalities?—Yes.

7977a. Under that Order in Council those fines, then, came to you from the Magistrates?—Yes.

7978a. Could you produce the statement of the receipts and disbursements for the years 1887, to 1890 inclusive?—I produce such a statement taken from my books. Appendix No. 3.

7979a. In the disbursements from the license fund, what items are included?—I do not know.

7980a. Do you include, for instance, the sum that the Provincial authorities required to be furnished by counties towards the expenses of the administration of the law?—The Commissioners made up yearly what they required for enforcing the provisions of the Act, and the County Council ordered me to pay them. That is all I know about it.

7981a. Is the salary of the county Police Magistrate included?—Yes.

7982a. In 1887, \$4,208.67 was disbursed?—This was paid by me into the license fund to be distributed by the Commissioners. They paid all the cost connected with prosecuting parties.

7983a. In this county did they make their estimate to include those sums?—They made an estimate every year of what they would require. These sums were paid by me through an order of the County Council. The city of Guelph is separate.

7984a. Are all these disbursements during those years for the enforcement of the Scott Act?—Yes.

By Mr. Clarke:

7985a. Does it cost the county now anything for the administration of the license law?—No, the county gets no revenue, the townships get it. I will explain the disbursements. In the year 1886 the Commissioners made a requisition on the County Council for \$868.67 to enable them to carry out the provisions of the Act. The Council ordered me to pay that, and I know nothing further about the disbursement.

7986a. Then in 1887 there was another requisition for \$4,288.67, which the Council ordered me to pay.

7987a. Are you able to say why they required more money in 1887 than in 1886?—1886 was the first year of the Scott Act, and they did not require as much money as in the next year. The year 1887 included twelve months. They did not know exactly what they would want.

7988a. How can you account for the drop from \$4,288 in that year to \$2,400 the next year?—They took part of the previous year's amount. Altogether I paid \$9,489.95 directly into the license fund.

WILLIAM REYNOLDS.

JOSEPH JAMIESON, of Guelph, County Judge, on being duly sworn, deposed as follows :—

By Judge McDonald :

7989a. How long have you resided in Guelph ?—About a year and a half.

7990a. The Scott Act had been repealed before you were there ?—Yes.

7991a. I believe you previously resided in the County of Lanark ?—Yes.

7992a. Was the Scott Act in force in Lanark when you resided there ?—Yes.

7993a. How did you find it carried out ?—Not as well as the temperance people desired.

7994a. Were you a promoter of the Act yourself in the County of Lanark ?—I was.

7995a. And took an interest in watching its operation, I suppose ?—Yes.

7996a. To what do you attribute its not having succeeded as well as the friends of the Act had hoped for ?—Well, there was, as you are aware, a difficulty about the responsibility for the enforcement of it, for quite a while, and the officers charged with its enforcement were not, in some cases, in sympathy with the Act. The officer in the north riding of Lanark was in sympathy, but the officer in the south riding was not in sympathy ; so it was better enforced in the north riding than in the south riding.

7997a. Did you find that its effect in the county as a whole was beneficial ?—I think so.

7998a. More so in the north riding than in the south ?—I think so.

7999a. Do you think the better enforcement of it in the north riding brought about a better result ?—I think so.

8000a. Do you know whether representations were made to the authorities in reference to this official in the south riding of whom you have spoken ?—Yes.

8001a. Was there a change made ?—Not during the time the Act was in force. Subsequently there was a change.

8002a. From your experience of the effect of the license law in the County of Lanark, and of the effect of the Scott Act while it was in force, which would you prefer ? I would certainly prefer the Scott Act with all its defects.

8003a. Why ?—I think it lessens the consumption of liquor, and lessens the evils arising from such consumption.

8004a. Had you reason to believe there was any illicit sale going on ?—To some extent ; I do not think that there was to any greater extent than under the license Act, possibly a little more.

8005a. Did many individuals keep liquor in their houses who had not previously done so ?—Not to my knowledge.

8006a. Were there any difficulties in the law itself, any weaknesses ?—Well, we thought so. At the request of the Dominion Alliance, I endeavoured to secure quite a number of amendments to the law.

8007a. I believe you represented North Lanark in the House of Commons for a long time ?—Yes.

8008a. While you were there, were any amendments made to the law ?—Yes.

8009a. Amendments that you asked for ?—I have forgotten just now. I remember part of them were afterwards embodied in the Dominion Statute.

8010a. They are now the law, practically ?—Yes, but they came into force at a time when they were of very little use, because the law had been repealed in a large number of counties.

By Mr. Clarke :

8011a. Are the temperance people generally aware that these amendments, which were thought at the time to be necessary to make the Act workable, are now on the Statute-book ?—They are not all on the Statute-book.

8012a. Do you know which of them are omitted ?—We did not get them all through. We got the most of them through, but in the Senate we suffered defeat on a good many ; there was an amendment made in the Senate which to some extent impaired the usefulness of the measure.

8013a. From your long experience, would you suggest to us what amendments are necessary to the law as it stands now, to make it workable and efficient?—I never was favourable personally to the Scott Act. The temperance people were not responsible for the Scott Act. They asked for general prohibition, and they got partial prohibition. I do not consider the Scott Act a fair test, and never did.

By Judge McDonald :

8014a. I see the majority in the County of Lanark was 406 when the Act was passed, and when it was repealed the majority against it was 771. Do I understand that you attribute that change to disappointment on the part of the people as to the results of the Act?—Yes, to some extent. I do not recollect the figures myself, but I think a larger number of people abstained from voting on the repeal than did on the Act.

8015a. Did you find that there were people who did not approve of the Act when it was submitted at first, but who thought they would give it a trial, and who, after the trial, came out and opposed it at the next election?—I think there were a few.

8016a. Did you find again there were some people who supported it upon the first occasion, and who either abstained from voting on the second occasion, or voted against it?—A large number abstained, I think.

8017a. And these things account for the change in the figures?—Personally I was not satisfied with the repeal, I voted against the repeal myself.

8018a. You voted in favour of its enactment, and voted against the repeal?—Yes.

8019a. Did you do that as a matter of principle?—Well, partly so, and partly because I thought at all events it did some good.

8020a. Are you opposed to a license law upon principle?—Yes.

8021-2a. You consider it is wrong to license the traffic?—I do.

8023a. Would you favour the enactment of a prohibitory law for the Dominion, preventing the manufacture, importation and sale of liquor for beverage purposes?—I would.

8024a. In case such a law were enacted, would you except from its provisions the use of liquor for medicinal, mechanical and sacramental purposes?—Yes.

8025a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—I would consider that, in order to secure prohibition. I think it would pay in the enforcement of the law, as it would remove a large moneyed and aggressive interest, and would give more permanence to the law.

8026a. When you were in Parliament and dealing with this question, did you consider how, in case of the enactment of such a law, the revenue which would be lost to the Dominion, the Provinces and the municipalities, would be made up?—Yes, I have given some thought to that subject. My conclusion is this: that the loss would be only temporary, and that the increased consumption of dutiable goods would, to a very large extent, repair the loss in a very short time, and equilibrium would be restored between the two.

8027a. In case it were not, would you, for the purpose of obtaining the enactment of this law, be willing to have direct taxation?—Yes.

8028a. Do you believe that the ability of the people to pay taxes would be increased by such a law?—I think so. I had occasion to look into the question in this way: During the height of Father Mathew's campaign in Ireland, when I believe nearly two million people were pledged to total abstinence, and the consumption of liquor decreased very largely; the general revenue of the country largely increased.

8029a. And that without any direct imposition of an increased duty?—Yes.

8030a. Have you noticed in your experience while practicing at the Bar or since you ascended the Bench, whether any large amount of crime is to be traced directly or indirectly to intemperate habits on the part of the people?—My career on the Bench is comparatively short,—only two years—but I was at the Bar for nearly twenty-nine years, and my judgment is that the beer traffic is largely productive of crime.

8031a. In the County of Lanark, you lived at Almonte, I believe?—Yes.

8032a. What would be the population of Almonte?—Something over 3,000.

JOSEPH JAMIESON.

8033a. Are there large manufacturing industries carried on there?—Yes.

8034a. And a good many factory operatives?—Yes, a large number.

8035a. What were the habits of these people generally as to sobriety?—As a rule, they were fairly sober.

8036a. Did you notice, as a member of that community, whether any amount of distress or suffering was caused through indulgence in intoxicating drink?—I think so.

8037a. Is there any statement you would like to make to the Commission in addition to what you have said?—I observe that you are endeavouring to make the Scott Act, or the condition of affairs under the Scott Act, a test. Now, I think that is scarcely fair. I do not think the Scott Act was ever a fair test. Very few people favoured the Scott Act except as a partial measure, and it was only a partial measure. I think the effect of a general law would be much more beneficial, where the importation and the manufacture as well as the sale, are prohibited.

8038a. Did you vote for the appointment of a Commission to inquire into the results of the liquor traffic?—No, I voted against it. It was moved in amendment to a motion submitted by me to the House.

8039a. As a Commission we are enjoined to inquire into the operation of the Scott Act?—I do not blame the Commission.

8040a. We have to inquire into the effects of prohibition in any form, whether under the Dunkin Act or the Scott Act or otherwise. Now, can you point us, as a result of your study of this subject and your interest in it, to any country in which there exists such a prohibitory law as you desire to have passed in Canada?—No, I am not aware that I can; but I cannot see that that would be an objection to passing the law.

8041a. You have spoken of our taking evidence on the Scott Act. Can you send us to any country where we can inquire into the effects of such a law as you wish to have?—I do not think I can.

8042a. Now, don't you see the necessity that exists for us to inquire into such prohibitory systems as have existed?—Certainly, and I am not objecting to your doing that; but I am simply saying that I think the Scott Act is not a fair test.

By Mr. Clarke :

8043a. How are we to make a report upon the matters that have been referred to us, unless we inquire very closely as to the effect of the operation of the Scott Act in this and other Provinces?—I am not objecting to your doing that, but I am simply stating that I think it is not fair to make the operation of the Scott Act a test of general prohibition.

8044a. If we are to make an inquiry into the operation of general prohibition in the North-west Territories, Maine and other prohibitory States?—You have not got prohibition in the North-west Territories at all, though it was intended to be so.

By Judge McDonald :

8045a. We have been told in some cases where we have been that the Scott Act increased the assessed value of the property of a county, that in one town it led to every house being occupied except the county jail, that drunkenness was virtually banished from the county, and so on. Have you had any experience of that kind in the working of the Scott Act?—No. I do not take any stock in those extreme statements.

8046a. You saw no such results?—I do not suppose any law could possibly bring about such a result as that.

8047a. When you read the evidence taken before the Commission you will find statements as strong as that concerning particular localities; but you saw no such localities?—I do not know of any such locality myself.

By Mr. Clarke :

8048a. Then again, we are endeavouring to ascertain why the Scott Act was repealed in the Province of Ontario, and why it was largely continued in force in the Maritime Provinces?—Possibly the public sentiment is stronger down there than it is here, I think it is.

8049a. Would public sentiment have anything to do with the efficacy or want of efficacy of the Act, here or elsewhere?—Certainly. A law that is backed up by public sentiment must certainly be more effective than one which is passed contrary to public sentiment, or not supported by a majority of public sentiment.

By Judge McDonald :

8050a. In case of the enactment of a prohibitory law such as you desire, would you prevent individuals from bringing liquor into the country to use in their own homes?—I see no reason why we should not. I do not think it is necessary for a man when he is well. If he is sick, there is a provision made that he can get it as a medicine.

8051a. Then you would prevent that?—I think so. I think the individual interests must give way to the public interests.

By Mr. Clarke :

8052a. Take the case of a person who uses liquor in strict moderation; would you interfere with his procuring and using it in moderation?—If the general good was to be served, I would. But I am not fanatical on this question, I am not extreme.

By Judge McDonald :

8053a. Do you know any country where that state of things exists?—I do not, but I should risk making Canada a pioneer.

8054a. We find that in the western part of this Province there is a large industry springing up, of making what is called native wine, and we find farmers in that section making from the grapes which they raise, wine to use in their own homes, just as the farmers make cider in other parts. Now, would you make a law that would prevent the making of cider and the making of this native wine by the farmers?—Well, I suppose the native wine is a fermented wine.

8055a. It becomes fermented?—I have not considered that question, but if it were intoxicating wine, I think I would put it under the ban just the same as any other.

By Mr. Clarke :

8056a. And how about cider and beer?—I think cider is regarded as intoxicating, although of a very mild character.

8057a. Still, I suppose even mild cider and wine can be used to such an extent as to become mischievous?—Yes.

8058a. Have you considered to what authority you would commit the enforcement of such a law?—I think it would be advisable that the authority which passed the law should be charged with its enforcement, and the proper machinery should be provided.

8059a. This is a matter to which you have given a great deal of thought and consideration?—Yes.

8060a. And the result of that is that you would commit the enforcement of the law to the power that enacted it?—When I was in the House of Commons, and engaged with others in promoting prohibition, we omitted that point from the prohibition motion which we presented to the House.

By Mr. Clarke :

8061a. Do we understand you to say that the temperance people never accepted the Scott Act?—I think not. Of course, there is this further statement I would like to make. I do not think it was ever considered that the Scott Act was to be a permanent measure. I think it was accepted largely for the purpose of sounding public sentiment upon the prohibition question.

8062a. Was the object to see how partial prohibition would work, by the adoption of the Scott Act?—I do not think it was looked upon in that way. The temperance people wanted more, and they were told that they ought to test the Scott Act before they could reasonably come to Parliament and ask for general prohibition. In answer to that, the temperance people voted for the Scott Act, which was the very best measure

JOSEPH JAMIESON.

they had at their disposal; and in my judgment they did it largely for the purpose of testing public sentiment upon the prohibition question. I know I supported it largely upon that ground.

8063a. Is the vote that was given in favour of the Scott Act several years ago when it was brought into operation, or the vote which repealed it, that which should be taken as a test of public sentiment?—Well, possibly a test of public sentiment on the Scott Act was not a test of public sentiment on general prohibition.

By Judge McDonald:

8064a. Have you noticed the point suggested by Commissioner Clarke, that in the Maritime Provinces they continue to support the Act. Now, if a vote upon the Scott Act is an evidence of public sentiment, the people of the lower Provinces keep that evidence continually before the country, whereas in Ontario they reverse the vote?—There is a strong temperance sentiment in the Maritime Provinces, and they are supporting it probably as the best measure they have got.

8065a. You think there is a greater degree of temperance sentiment there than there is here?—I think possibly there is; and I understand that in Nova Scotia they have a license law far in advance of anything we have in the west.

By Mr. Clarke:

8066a. Still in some places in Nova Scotia the prohibitory clauses of the license law are in force, but in many places the Scott Act is in force?—I suppose that people support it largely on the principle that it is the best measure they have.

8067a. Have you thought of the principle of abolishing licenses altogether, and having free sale of liquor under police regulation and restrictions?—No.

8068a. That plan does away with the partnership that exists now between the community and the traffic, between the municipalities and the vendor. They give no license, but they regulate the right of sale, and they permit selling to go on under all the restrictions and regulations of the license law?—I think, of course, if you removed the pecuniary interests, you would satisfy the public conscience.

8069a. Would that be a step in the direction of reform?—I think it would, as a partial measure. I think possibly we might get prohibition by taking one step after another.

8070a. Is not there this difficulty: that as long as the trade is licensed and the municipality derives a revenue from it, there will be found some people who will object to relinquishing that source of revenue?—Yes, there are. While there is a revenue derived from the traffic, there will be a class of people who will favour it because it relieves them to some extent from paying taxes, and gives them an interest in supporting a license law. I know some people who voted for the repeal of the Scott Act simply because the city was deprived of the license fees.

8071a. We notice, too, that there has been great laxity in some municipalities providing funds for the enforcement of the Act. They carry it by overwhelming majorities and they do not provide any money to enforce it. They allow it to become a dead letter?—No doubt about that. That is one of the first troubles we had in the enforcement of the law.

8072a. Would it be constitutional to secure amendments compelling the municipalities to pay the expenses of enforcing the law?—I think that was not a matter under the control of the Dominion Parliament.

8073a. There is a difficulty there, we have been thinking of that aspect of the case?—There was legislation by the Ontario Legislature in that direction, but it was some time after, and things got into a somewhat demoralized condition, so far as the enforcement of the law was concerned, before that legislation was enacted.

8074a. In the Maritime Provinces the Provincial Governments fixed the salaries so as to let the people know what the cost of enforcement would be, as near as possible; yet even there we find a disposition not to appoint Inspectors, and not to enforce the law vigorously, for which, however, the people voted almost unanimously?—There was a large majority of sentiment undoubtedly in its favour.

8075a. But they seemed to have allowed it to become practically a dead letter. In Ontario we can understand that when it became a dead letter, the people repealed it. That is the reason why we are inquiring into the causes which led to repeal here, and why they permitted it to remain on the Statute-book in the lower Provinces?—The whole question is surrounded by a good deal of difficulty.

VEN. ALEXANDER DIXON, of Guelph, Archdeacon of the Diocese of Niagara, on being duly sworn, deposed as follows :—

By Judge McDonald :

8076a. How long have you resided in Guelph?—Between seventeen and eighteen years.

8077a. You had an opportunity of observing the working of the Scott Act in Guelph?—Yes.

8078a. What did you find to be the result of the passing of that Act?—I saw a great many more drunken persons about the streets than ever I saw prior to its enactment, or since. I found also that the spy system connected with it created a great deal of ill-feeling among the people generally.

By Mr. Clarke :

8079a. What do you mean by the spy system?—Sending persons to purchase liquor under false pretences as if for sick people, and the like of that.

8080a. Sending people to secure violations of the law in order to detect and punish the liquor sellers?—Yes.

By Judge McDonald :

8081a. Comparing the results under the Scott Act with those under the License Act, which Act is preferable?—My impression is that the License Act is preferable.

8082a. Speaking as a clergyman, do you find among the people whom you visit pastorally, that there is any amount of distress and sorrow caused by intemperance?—Most decidedly there is. I have not many cases under my immediate care and supervision, but there are some cases where very bad effects arise from the drunkenness of one or more members of the family.

8083a. Did you find that these difficulties and this distress were lessened or removed when the Scott Act was in force?—No, I scarcely found any difference.

8084a. Have you noticed since you have been here that there has been a growing temperance sentiment and better temperance habits in the community?—I think there is a decided improvement in that way.

8085a. Do you find that the influence of the different religious bodies and of the temperance societies is producing good results?—A good result. The moral and religious forces that are brought to bear upon the people are producing good fruit.

8086a. Would you yourself favour the enactment of a prohibitory law for the Dominion, preventing the manufacture, importation and sale of intoxicating liquors for beverage purposes?—No, decidedly not.

8087a. Do the rules of the Church of England require that the wine used in Holy Communion, should be fermented?—We do not believe that there is any wine in existence that is not fermented.

8088a. If it is not fermented you do not call it wine?—We do not call it wine at all, and do not use it. It is fermented wine that is required to be used.

8089a. Then any enactment that would prevent wine being manufactured or imported for sacramental purposes, would interfere with the religious convictions of the church which you are a clergyman?—We would consider it an outrage upon us to enforce any such law.

JOSEPH JAMIESON.

8090a. In case of the enactment of such a prohibitory law, would you deem it right that brewers and distillers should be remunerated for the loss of their machinery and plant rendered useless?—Most decidedly. It is an expropriation, and certainly it would not be just to take away their property without remuneration.

8091a. Is there any other statement you yourself would like to make upon this question?—I think in cases of habitual drunkenness, it is very desirable to have some law that would so deal with the offenders as to give them a chance of recovery.

8092a. You would treat it as a disease?—Yes.

8093a. Do you believe that a short term of imprisonment produces permanent reformation in men who are frequently arrested for drunkenness?—No, I do not see that it produces much good results.

8094a. In case that either the licensed hotel, or what is commonly called the saloon, were to be done away with, which would it be better to retain?—Well, I think it would be better to do away with the saloon, because I think hotels are more likely to be under proper supervision than saloons. There are so many kinds of drinking places, called saloons, that it would be hard to keep them in order.

8095a. Had you reason to believe that the sale of liquor was going on in many places in Guelph while the Scott Act was in force?—I have very little doubt it was.

By Mr. Clarke :

8096a. Did you consider that the Scott Act was an educator?—So far as my experience went, I thought it was a demoralizer instead of an educator.

8097a. It is claimed that the discussions which took place prior to the vote on the Scott Act promoted an interest in temperance, and that the operation of the Act, even though it was only partially successful, also had an educative influence, and that by rendering the traffic illegal, it caused people to look upon it with aversion and horror, and promoted the general good in that way. What is your opinion?—I never saw any such results.

8098a. Have you had opportunities of conversing with the clergy in this diocese as to the operation of the Act, beyond this city and county?—Yes, I have heard the most deplorable stories, from Milton especially.

8099a. We were told that in the County of Halton the Scott Act worked beneficially, that there was an increase in the assessed value of the property, that it was impossible to get liquor, and that there was a decided improvement in business even in Milton which you have just mentioned?—I have heard from parties living there quite a different story.

8100a. The statement was made that every building except the jail, so beneficial were the effects of the Scott Act. The clergymen with whom you have come in contact, tell a different story, I understand?—A different story. They say that great facilities were offered to farmers and others coming into market, to procure liquor.

8101a. Can you offer any explanation why the Scott Act was repealed in Halton if these substantial benefits that are claimed for it, did really follow in its train?—I am under the impression that it was repealed because the people saw its worthlessness in carrying out the object in view—so I was informed by those with whom I came in contact and who resided there.

By Mr. Gigault :

8102a. Do you think the moderate use of wine is a sin?—Certainly not. In the Scriptures we are told not to be drunk with wine, drunkenness is forbidden; but I think the temperate use of it is not. That is my impression.

8103a. Do you think that Guelph was more orderly on Sundays during the Scott Act period than under a license system?—Guelph is a very orderly place on Sunday, but I think it was less so during that time.

THOMAS W. SAUNDERS, of Guelph, Police Magistrate, on being duly sworn, deposed as follows :

By Judge McDonald :

8104a. How long have you resided in Guelph?—I am a native of Guelph.

8105a. How long have you been Police Magistrate?—Twenty-six years. I am also a barrister-at-law.

8106a. Were you Police Magistrate during the Scott Act regime?—Yes.

8107a. Had you a commission for the county at that time?—No, but I was a Magistrate, *ex-officio*.

8108a. We have found in one county that the Police Magistrate had a county commission?—We had County Police Magistrates also in this county, two of them, for the Scott Act especially.

8109a. Speaking first of the license law as it now exists, how do you find its provisions lived up to by the men in the trade?—Fairly well.

8110a. Have you many cases before you for infringement of the law?—Not many.

8111a. Taking your experience as a Police Magistrate and as a citizen, what is the character of this city for sobriety and good order?—Very excellent.

8112a. From a statement handed in by the Chief of Police Randall, we find that during the three years that the Scott Act was in operation, the arrests for being drunk and disorderly were respectively 93, 165 and 129; that during the three succeeding years the arrests numbered respectively 77, 65 and 74; while from the 1st of May, 1892, up to the first day of this present month, there were 103 arrests. Can you account for the difference in these figures during the Scott Act period and since?—I think that the public tone of the people is being elevated, the people are improving. There is not that bluntness of perception of what is due from a man to himself and to society, that I have seen existing here in previous years.

8113a. You think there has been an improvement all along the line?—I think so.

8114a. Did you find that the Scott Act was productive of beneficial results?—I cannot say so.

8115a. Why not?—There was a feeling of very great opposition to the Scott Act here, people felt that it was an intrusion upon their vested rights, as it were, and something that they should not submit to. Though there may not have been so much drunkenness apparent in the public streets during the existence of the Scott Act, I am satisfied it was not owing to that law.

8116a. Had you many cases tried before you under the Scott Act?—A great many.

8117a. In the cases that were tried before you, were there many convictions?—There were a great many cases in which I did not convict, I cannot say what the proportion was. I may say to you here that I was one of those Police Magistrates who incurred the great disfavour of the temperance party, and I think most unjustly, because there is no man living who has a greater horror of drunkenness than I have, and no man who desires to see the law enforced more earnestly than I do. But I concede that I had a duty to discharge to society, and to myself, and to my office. I felt that I should be guided by legal principles regulating the conduct of a Magistrate upon the Bench, as to the kind of evidence upon which I should convict accused persons; and I hold that the evidence in many cases produced before me was evidence upon which no man should be convicted. I may give you an instance. Worthless tramps who were run into the cells here at night have been paid money to go out into the town and induce people to break the law, who had no intention of breaking it, for the purpose of testifying against them. I set my face strongly against that, so much so that a strong petition was presented to the Government to dismiss me from office, and most strenuous and improper efforts were made to get me turned out of office.

8118a. Did you honestly endeavour to carry out the enforcement of the law as an official?—I did; and wherever a case was proved before me on what I considered rea-

THOMAS W. SAUNDERS.

sonable and proper evidence, I always convicted. Time and again I have declared publicly from the Bench to the people "here we have this law, and, as good citizens, it is our duty to obey it; and whenever a man is proved before me to have broken the law, he shall suffer the consequence." That is the course of conduct I followed, and those who disobeyed the law always did suffer.

8119a. Have you reason to believe that the chief and other officers of your force, tried to enforce the law?—I think so. We have an Inspector here; a very efficient and excellent man, who, I believe, tried to do his duty conscientiously.

8120a. Now, with you doing your duty, and the police doing their duty, and the Inspector doing his duty, did you succeed in making this law a success?—No.

8121a. Why not?—Well, it seemed to me to be utterly disregarded. You could go into those places that had previously been selling under a license and you would find everything in order, still the traffic in liquor was going on there in such a way that it was difficult for the force to detect offences.

8122a. Did any new places start up that had not been previously licensed?—Yes. I think I am safe in saying that several people were convicted of selling in places where liquor had not been sold before.

8122½a. Did you have reason to believe that perjury existed to any extent in the prosecutions which came before you?—To a very considerable extent, I would say.

8123a. To any greater extent than in cases you have to try for alleged breaches of the license law?—Yes.

8124a. To what do you attribute that?—There was a sort of feeling abroad that this was such an outrageous enactment that the end they had in view of defeating this law, justified the means that were resorted to. I have heard people say "I do not feel that I am committing a crime in committing perjury to defeat that Scott Act."

8125a. From your experience with public sentiment, do you believe it has anything to do with a law being successfully enforced?—I think so, undoubtedly.

8126a. Speaking now as a barrister, and also as a Police Magistrate, what is the effect upon the public mind and upon the public conscience, of having a law upon the Statute-book which is not carried out, or only carried out as the Scott Act was?—I think if we have a law on the Statute-book that is openly broken and disregarded, the effect on the public mind is demoralizing.

8127a. Has it any effect upon the public mind as to their opinion of other laws, and the necessity of not obeying them?—Well, I have always observed this contrast—the Crooks Act was an excellent Act and people thought it ought to be enforced and obeyed, but they seem to think that there was no necessity for obeying the Scott Act.

By Mr. Clarke :

8128a. And that in face of the fact that the people themselves had been instrumental in putting it into operation. Is not that an extraordinary state of things?—It is, no doubt.

By Judge McDonald :

8129a. You say that a petition was sent in complaining of you. Did that petition come from those who had been favourable to the passing of the law?—It came from certain individuals here who, I understand, were prominently connected with the endeavour to enforce the law, well known prohibitionists, if I may call them so; I cannot say temperance men, because I am a temperance man myself, strictly so.

8130a. Did you find these people were aiding you in trying to enforce the law, strengthening your hands?—I cannot say that by any act of theirs my hands were strengthened.

By Mr. Clarke :

8131a. Who were these people who employed toughs and blackguards to go and get people to break the law?—I will answer that in this way: The first instance I had, and I think it was the first case that was brought before me under the Scott Act, the witness brought into the box was a man that I understood had been in the lock-up as a

tramp all the night before. When I found that I left the Bench and went into the Police Magistrate's room. I called in the Chief Constable and said to him, "Are these the witnesses you are using to enforce the law?" He answered me, "Money was given me to pay these men to go out and get liquor, and then to turn round and give evidence." I said, "Now, you will understand, Mr. Chief Constable, that this is a thing I will not tolerate as Police Magistrate of this city." And these very people were getting other men to break the law for the purpose of prosecuting them. Yes, worthless vagabonds, giving them 25 cents to go and buy whisky to break the law and then turn round and prosecute these men.

8132a. Do you think that temperance and moral reform are promoted by such conduct as that?—No, sir.

By Judge McDonald :

8133a. Do you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of intoxicating drinks for beverage purposes?—No, I do not.

8134a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—I should think so.

By Mr. Clarke :

8135a. Have you thought whether any change should be made in the treatment of confirmed drunkards?—I have not given the subject much thought. It is a melancholy thing to think of.

8136a. Would it not be well for the authorities to direct their attention to treating these people as suffering from a disease?—Yes, it is a disease. I have had the poor creatures brought before me for drunkenness, and through the influence of the priesthood here—I am referring more particularly to the Roman Catholic priesthood—we have got these men to take the pledge. I believe they have taken the pledge most solemnly and with an earnest desire to keep it, but unfortunately they have not been able to do so. It is a disease with them.

8137a. Would it not be a blessing to society, and to themselves and families, if there were institutions in the different provinces to which they would be committed for an indefinite period, to be treated?—I should think so.

8138a. Is there any good reason why these drinking places pure and simple should be continued?—I think they might be abolished. Still I take this view of it: people often come up from Toronto to transact business with me, as no doubt many others come up to transact business with other people. When we get through our business, I ask them, Would you like to have some luncheon? My house is some distance out of town, and we cannot conveniently go out there. They do not care to go to a tavern, and if there is a restaurant near by where we can get a decent luncheon, we go there. Except for that purpose, I do not see any advantage at all in these saloons.

8139a. But you would give licenses to those who supply meals and give accommodation?—To be sure. I think the authorities make a great mistake in putting the liquor traffic into the hands of such men as they usually do. They do not seem to have any regard to whom they give a license. I understand that according to the law a man who has a license is under very strict bonds and obligations, and if he breaks any of the obligations, I think he is unfit to be licensed, and the license should be taken away from him and put into the hands of respectable men, men who will not allow a person already under the influence of liquor to go into their saloon and get more liquor. At present they will sell him liquor until he cannot contain any more, and then they will kick him out into the street and have him brought up for being drunk.

8140a. It is claimed that if the trade is rendered disreputable, it would be better in the end, that it would bring about more speedily the prohibition of the traffic?—Do evil that good may come of it.

8141a. That view has been presented, that it would be better to render the trade as disreputable as possible?—I do not agree with that.

THOMAS W. SAUNDERS.

8142a. What do you think of billiard licenses?—I think they are an evil in a small place like this.

8143a. Would the evil that flows from them be minimized if they could be separated from licensed places?—I believe that is the regulation now, but the separation is so small that they are generally in very close contact.

By Mr. Gigault :

8144a. Was there a set of officers appointed by the Government to enforce the Scott Act?—I think not.

8145a. I think you spoke of some special officials?—We have a License Inspector here, Mr. Cowan. He is an Inspector under the Crooks Act. I was mistaken in saying there were any officials specially appointed. I think there were no special officers appointed to enforce the law, as I find on inquiry.

By Judge McDonald :

8146a. In cases of the breaches of the license law, do you find the citizens willing to come forward and give information, and assist in carrying out the law—for instance, sales on Saturday night or on Sunday?—My opinion is that the law is often broken and that the offenders are not brought to justice.

8147a. Do you find the same willingness in the people to give information in offences against the license law or against the Scott Act, that you do where private wrongs have been committed, as in cases of assault, or theft or cases of that kind?—No, there is a greater readiness to seek redress, and in those cases individuals come forward.

8148a. You told us it was from the Chief of Police you learned about this matter of money having been given to him to hire men to entrap the unlicensed liquor selling?—Yes.

By Mr. Clarke :

8149a. Regarding the causes which lead to the arrest and conviction of people, what percentage of those that come before you committed the crime for which they were charged while under the influence of liquor?—The Chairman has spoken of the number of arrests other than those for drunkenness and disorderly conduct? When people are brought before me charged with being drunk and disorderly, they are asked what they have to say to the charge, and if they plead guilty they are convicted and go away. But in many cases if you try to bring the charge home to them on evidence, you will fail to prove that they were either drunk or disorderly. Our police, I suppose, are quite as efficient as any other, as my little boy says, they are very "sufficient police." If they find a man slightly under the influence of liquor, they arrest him and run him in the Police Court at once and into the cells. But I think many of those cases that have been referred to as cases of drunkenness or disorderly conduct, have not been such cases as would disturb the public morality in witnessing them. Of course we have some inveterate drinkers. I can almost name the number of people that will be brought before me for being drunk, poor unfortunates that have been drunkards ever since I have been on the Bench. A few such men have died, and others have taken their places. However, I can support the evidence of Archdeacon Dixon and others who say that the moral sentiment is improving, that there is not so much drunkenness here, even with our larger population, as there was when I first began to sit on the Bench.

8150a. What would be the effect of the enactment of a rigid prohibitory law, with public sentiment as it is now?—I think it would not be beneficial here.

WALTER S. COWAN, of Guelph, License Inspector, on being duly sworn, deposed as follows:—

By Judge McDonald:

8151a. How long have you resided in Guelph?—Eighteen years.

8152a. How long have you been Inspector of Licenses?—Since 1884.

8153a. Have you had experience of the working of the Scott Act?—Yes.

8154a. Have you had experience of the working of any other prohibitory law?—

No.

8155a. Did you have experience of the Scott Act in any other section than this in which you lived?—Well, there are four townships included in this district.

8156a. Your district covers the southern division of the county?—The south riding of Wellington.

8157a. At the time the Scott Act was in force in Guelph, it was in force in those four townships of which you speak?—Yes.

8158a. Were you yourself a promoter of the Scott Act?—I voted for the Scott Act.

8159a. And you were desirous it should be successful?—I was.

8160a. Did you, in discharge of your duties, attempt to carry it out as well as you could?—I did.

8161a. Did you find any difficulty in the way?—Yes, there were many difficulties in enforcing it.

8162a. Do you think that the Act itself was fairly well enforced, or were the difficulties such as to interfere with its enforcement?—Well, the difficulties were too large for one Inspector to overcome.

8163a. How was that?—There were so many who were opposed to it, and who did all they could to thwart the efforts of myself and the police.

8164a. You had the assistance of the ordinary police officers so far as needed, I suppose?—Yes.

8165a. Did you apply to the Government for the appointment of an additional Inspector to assist you?—No, but we did have detectives at times.

8166a. Did these detectives come from other places?—Yes, from other counties.

8167a. Did you find that their assistance was of value to you?—Yes, we did get several convictions through their assistance.

8168a. Were you not able to get those convictions from local witnesses?—No.

8169a. What was the difficulty with regard to local witnesses?—A great many of the witnesses that we had were frequenters of hotels to a certain extent that their evidence was generally favourable to the man who supplied the liquor.

8170a. Had you reason to believe that the evidence was in some cases untrue?—I did believe so in many cases.

8171-2a. Do you find the same difficulty to any extent in prosecuting persons charged with offences against the license law?—I do.

8173a. To the same degree?—To the same degree in proportion to the number of prosecutions we have.

8174-5a. Have you noticed whether the amount of perjury in cases of that kind is greater than it is in cases outside the liquor traffic?—I think there is more perjury in liquor cases than in any others, so far as I am able to observe.

8175-6a. Did you find while the Scott Act was in force, that sales were made to any extent by persons who had previously been licensed?—Chiefly by those who had been previously licensed.

8177a. Were such sales made by others, who had not been licensed?—There were a few places, but not very many, though it was reported there were a great many.

8178a. You did your utmost to discover them, and did not find many such?—No.

8179a. Did you find the enforcement of the Act more easy in the earlier stages of it than in the later stages?—It was easier in the later stages. Towards the end it was much more easily enforced.

8180a. And better observed?—Well, I don't know that it was.

WALTER S. COWAN.

8181a. To what do you attribute the repeal of the Act?—It seemed to me that owing to the non-enforcement of it at first, the people became dissatisfied and were indifferent when the vote came on the question of repeal; they did not turn out and vote.

8182a. It has been represented to us here to-day during the first six months the Act was well enforced, that at first the men who had been in the traffic, lived up to it?—I think better than they did afterwards.

8183a. So there was an intermediate period in which it was not as well enforced as at the beginning and as at the end?—Yes.

8184a. Did you find that there was a change in public sentiment to any extent in regard to the Act, between the time the two votes was taken?—I think there was.

8185a. Do you attribute the repeal to that, as one of the causes?—Yes. A great many people were of the opinion that if they once had the Act, that was all that was required, and that the men in the business would not sell for fear of a fine.

8186a. Are you yourself a temperance worker?—I am a temperance man, although I am not allied with temperance organizations.

8187a. Did you notice as a temperance man whether, after the Act was passed, there seemed to be a lull in the work of the temperance societies, an impression that the Act having been obtained, that was all that was needed?—Yes, there evidently was such a feeling. The vote was taken here some six months before the Act came into force, and there was quite a lull, no interest seemed to be taken in the temperance cause. They had obtained the object they had in view when they voted, and all temperance work seemed to cease.

8188a. We have heard that such was the case in some places. Do you know whether it was the case in Guelph that when the Act was first submitted, some people who did not favour it, abstained from voting, and that when it was repealed these people came out and voted for its repeal after it had been on trial?—I could not say about that, but I believe there were a good many who voted for it at first, who did not vote for it when it came on for repeal. They were so indifferent that they abstained from voting.

8189a. Have you reason to believe that the provisions of the license law are well observed in Guelph, as to closing up on Saturday night and Sunday, the non-sale to minors and Indians, &c.?—We have no Indians to whom they can sell. Perhaps there are some minors who get it, but I think the law is fairly well observed in those respects.

8190a. In case of minors getting it, do you know whether they get it themselves in licensed places, or whether some grown person goes in and gets it for them?—I cannot ascertain that myself. If I could find that out, prosecutions would follow.

8191a. You did your best to enforce the Scott Act?—I did.

8192a. Do you do your best to enforce the present law?—Yes.

8193a. Do you yourself favour the enactment of a prohibitory law for the whole Dominion, preventing the manufacture, importation and sale of intoxicating drinks for beverage purposes?—I am not very clear how it would work. We would require more assistance from the temperance element than I got during the time of the Scott Act, to make a success of any prohibitory law. I think during the time the Scott Act was in force here, there were only two individuals who gave me information sufficient to prosecute; in the other cases I had to obtain it myself, or from detectives, or from those who were hanging about hotels, and who, for the sake of a five dollars fee, would give information. Under such circumstances it would be very hard to enforce a prohibitory law.

8194a. Are there any amendments to the license law itself which your experience of its working would suggest?—I do not know of any that I could specify just now.

8195a. I think in some places an officer occupying a position such as yours, or some other person, suggested that increased penalties might be of advantage?—I think it would be to the advantage of the cause of temperance that one fine should be the limit, and that on the second offence the party should lose his license.

8196a. Have you considered this question whether it would be advisable, in case of a person being convicted, say three times for an offence in the same premises, to prevent those premises from being licensed again?—I do not think the premises should suffer

from the individual that violates the law. In a great majority of cases these places are rented.

8197a. It has been suggested by some that under this plan, if a man was convicted once or twice, the landlord would try and get rid of him?—If he is convicted three times the Commissioners can refuse him a license.

8198a. And another man may go into the same premises. Now, the question is whether the landlord might make his lease in such a way that if the tenant was convicted twice, he would have to go out, the landlord thereby saving his premises from the penalty?—That might be put into the lease.

8199a. Would you not in such a case have the landlord an active agent in seeing that the law was observed?—Certainly, that would be a very good idea. I had not thought of that.

8200a. Have there been many appeals in this county against convictions under the Scott Act or under the license act?—Under the Scott Act there were two cases appealed that I remember just now. In one case the party died before the case came up, and that disposed of that one. The other one settled the matter by paying the costs, I think. Since the Scott Act was repealed, we have had one conviction in which the party convicted appealed against the magistrate's decision, and the judge sustained the magistrate in his conviction. Since that case, we had two convictions last year, and the parties appealed to the judge, and he quashed the convictions, and they are now before the Court of Appeal in Toronto.

8201a. In your opinion, was the Scott Act an educator for good in the cause of temperance?—I think it was. I think the results were good. I think there is much less drinking now than there was before the Scott Act came into force.

By Mr. Clarke :

8202a. Was there much drinking and drunkenness during the Scott Act period?—There was quite a lot of drinking done.

8203a. As much as before?—No, nothing like as much as there was before.

8204a. And since?—Well, there is no more drinking since than there was during the Scott Act.

By Judge McDonald :

8204½a. Is there more drunkenness, do you think?—I think there was no more drunkenness during the Scott Act than there is at the present time. Of course, according to the returns the chief gave, there was more drunkenness then than now, but I did not see as much.

By Mr. Clarke :

8205a. Would you be likely to see it if there was?—I think so. I am a good deal on the streets.

By Judge McDonald :

8206a. Have you, under the law, on any occasion, notified hotel-keepers not to sell liquor to persons addicted to the use of it?—I have somewhere, I think, about twenty-five or thirty persons now who are interdicted.

8207a. How do you find that system carried out?—In some cases it has a good effect, in others I do not think it has very much. They get others to get it for them, get it in an indirect way. I do not think that many of those who have got notices sell liquor to parties whom they know have been interdicted.

8208a. Had you any difficulties in securing convictions under the Scott Act, other than those you have mentioned?—I do not know that there were any other difficulties. Of course we always had to prove a sale. When I would go in, I would find perhaps a dozen men standing at the counter, some drinking one thing and some another. I would have the case brought up, and the probability was that none of that liquor was paid for, and so the case was dismissed. In some cases they admitted that they had

WALTER S. COWAN.

paid money, but said, he had given it back to them, and of course that case had to be dismissed.

8209a. Were there any cases where you had difficulty in establishing what they drank?—Yes, there were lots of cases of that kind. It was “short” and “long” and one thing and another.

8210a. Had they different names for intoxicating drinks?—Yes, different names for different drinks, names that nobody had ever heard of before.

By Mr. Clarke :

8211a. Was the state of things better under the Scott Act than at present under the license law?—I do not know but there was a better state of things.

8212a. Was there as good a state of things?—I think it was very much the same in the city here. In fact, we have a very quiet city. I do not think it is a hard place to look after.

8213a. How was the Scott Act observed in the townships?—There was a good deal sold in the townships, and we got more convictions in proportion to the prosecution, in the townships than we did in the city.

8214a. Was there less perjury in the townships?—More of them plead guilty.

8215a. How did the Act come to be repealed in the townships as well as in the city?—I could not tell you—through indifference.

8216a. I think you said it was an educator? Did it educate them to believe that it was inefficient, and was that the cause of their repealing it?—I could not tell you why it was repealed.

8217a. But you said it was an educator?—No, I do not think so. I said I thought the results were good in the city. I am satisfied that there is nothing like the amount of drinking done now that there was before.

8218a. Do you attribute the diminution in drinking to the Scott Act?—I could not say. I think, perhaps, the meetings that were held prior to the adoption of the Act and the way it was put before the people, had a good effect.

By Judge McDonald :

8219a. Have the temperance societies and other institutions of that kind, resumed work since the Scott Act was done away with?—Yes. They are working more actively now again than they were.

8220a. Do you find there has been a growth of temperance sentiment and temperance habits in the community within the last few years?—Yes, much more than there was.

8221a. Do you see more of that now than during the Scott Act?—Yes, I think there is more now than a few years ago.

8222-3a. That is increasing year after year?—Yes.

8224a. Do you think the churches and the temperance societies have been the means of doing good in that way?—Yes, I think they are more active than they were, and are having a better effect. You asked for a statement of convictions and fines under the Scott Act. In the first year of the Scott Act there were 64 prosecutions and 19 convictions; in the second year 119 prosecutions and 49 convictions; in the third and last year, 104 prosecutions and 62 convictions. During the three years five persons were sent to jail for non-payment of fines.

8225a. How many cases were for third offences?—None for third offences, but a number for second. I did not take them down because I had not time to do so, since I got the subpoena. You asked for the number of licenses in this district. There are 16 hotel licenses in the city and two shop licenses; that is the number we have had ever since the Scott Act was repealed. The receipts from licenses this year were \$5,400.

8226a. What is the license fee in the city for a hotel?—It is now \$275; the first year it was \$300. The fee for shop licenses is \$300. We have no saloons, they all have hotel accommodation. In the townships sometimes there are 15 licenses, and sometimes 16. They paid \$90 each one year, and one of the townships raised the fee to \$100.

8227a. Of these fees, what proportion goes to the Province and what proportion to the municipality?—In the city \$100 goes direct to the Province and \$75 to the municipi-

pality. The other \$100 goes to pay the expenses of enforcing the law, paying the Inspector's salary and the expenses of the Commissioners, and the residue is divided, two-thirds to the municipality, and one-third to the Government. Since the Scott Act was repealed, in the first year there were 7 prosecutions, 5 convictions, and \$160 collected in fines for offences against the license law. In the second year there were 39 prosecutions, 20 convictions, and \$258 collected in fines. In the third year there were 16 prosecutions, 9 convictions, and \$150 collected in fines. In the fourth year there were 51 prosecutions, 29 convictions, and \$585 collected in fines. Since the month of May in the present year there have been 7 prosecutions, 5 convictions, and \$100 collected in fines.

By Mr. Gigault :

8228a. Judging from common report and the number of prosecutions, how many places were selling liquor under the Scott Act in Guelph?—I could not say how many. There are some places, I do not know whether they sold or not, that were reported to have sold, but I never could get a case against them.

By Mr. Clarke :

8229a. How many places were reported to have been selling?—There might have been three or four places, but there was only one I was able to get a case against.

By Mr. Gigault :

8230a. Did you not say at first that all the old places were selling liquor, and some new ones?—All the old places were selling.

8231a. Were there more places selling liquor under the Scott Act than under the license act?—I said there were probably three, or four, or five, but it was extremely difficult to bring home a charge against them.

8232a. Under the Scott Act was there more disorder on Sundays than now?—I do not think there was, there might have been. Of course I am not down in the town very much on Sundays. I take a run round in the afternoon.

F. W. RANDALL, of Guelph, Chief of Police, recalled.

By Judge McDonald :

8233a. You have heard the statement made by the Police Magistrate, repeating a conversation between you and himself, in which you stated you had given money to a tramp to go out and buy liquor as a detective; and he asked you if that was the kind of witnesses that you brought up, and said he would not tolerate such witnesses in the box? What explanation have you got to make in regard to that case?—This is the way how I came to employ those two men. There was a man named Middleton who ran the bar room of Reinhardt's Hotel on Macdonald Street, who stated he did not care a d—n for the Chief of Police in this town, that he knew how to run a Scott Act town, and that he would sell in spite of me or any one else. He did not say it to me, but he said it to another party who came and told me. I went to see Middleton, and asked him if he meant that. He said: Yes, that he knew how to run a bar-room in a Scott Act town, and that he was going to run it to-day. I said, you open it to-day, and I will close you to-morrow. You will find that I will enforce this law on you, or on any one else. He had a bartender named Welsh, and I found out that he was going to carry out his threats and break the law. This was their plan: He would sell his place to his bartender to-morrow, and the bartender would sell it back to him next day, and they were going to run it in this way so that I could not catch him any second day opening his bar. On the night before this very morning that he opened his bar, these two young men came and asked for a night's lodging in the police station. They seemed respectable

WALTER S. COWAN.

looking fellows, but pretty hard up. The next morning I asked them where they came from, and they told me ; and I thought that these men would do first rate to catch this man Middleton. I asked them if they would go over and see if he was selling liquor, and I gave one of them a bottle and 25 cents to go over and get liquor, as I was bound to put Middleton down, and not allow him to go on and sell in spite of me. They went over and got liquor from Middleton. The next morning I sent them over again, and they caught the bartender. I brought Middleton up and he was fined \$50 and costs, and the bartender was also fined \$50 and costs. This closed up the place. Then another hotel-keeper went into the same place, his name being in common with Middleton and Welsh, and of course I had to bring him up too, and he was fined \$50. It caused great feeling in the town at the time, because, I suppose, they said these tramps had been and informed. Some of the temperance people said they would help me to put down those places, and they told me that any expense I would incur, they would see it was all right. On the strength of that promise, I gave these two men the 25 cents to get liquor, and that is how it came that the two tramps were employed to enforce the Scott Act. That was the only case.

8234a. The Police Magistrate says that you told him you had had the money given to you already for the purpose of managing the evidence in that way?—Well, perhaps it was either then or before, at the time or after, that the money was given to me to defray the expenses of those two men. They were here for two days, and it was only right that they should get something for their time ; and that was how it came that these two men were engaged.

8235a. Did the parties know you were to employ these two men?—They did not know these two men were to be employed to help me to enforce the Scott Act. Under the circumstances, this man having put the authorities at defiance, I thought it my duty to put him down, and this seemed to be a very good chance to do so. Of course I incurred a great deal of displeasure here at the time, but I thought I was doing my duty to close this place up.

8236a. Were these men employed to give evidence against any other person except Middleton?—Only in this one case. They were not brought here, they happened to be here by accident.

By Judge McDonald :

8237a. Then the money that was given to you was simply given for the purpose of trying to obtain convictions, and not for the purpose of obtaining tramps as witnesses?—No, no.

8238a. It was you yourself, in the exercise of your discretion, who thought it better in that particular case to get that class of evidence?—They happened to be here on that particular morning, and this man opened the house on that day, and I might not have got another chance for a month ; so I thought it well to embrace the opportunity, and I succeeded in my efforts to close him up. You wanted to get the number of arrests for drunkenness during the three years preceding the Scott Act. They were as follows :—

Year.	Arrests.
1883	195
1884	129
1885	135

J. B. POWELL, of Guelph, Collector of Inland Revenue, recalled.

8239a. You handed in some figures, showing the quantity of spirits and beer produced, and how disposed of, in the Inland Revenue Division of Guelph, for the fiscal years 1885 to 1893, inclusive. Are they taken from the books of your office?—Yes, that is a correct transcript, with the exception 1885-86, which I cannot get. It is contained in two books, one of which has been put away, and I cannot get it.

8240a. You have shown the total duty paid in the division for these years?—Yes. I may explain to you that during the years the Scott Act was in force there was no spirits in bond in the County of Wellington at all, so that these figures showing the total amount of duty paid ex-warehouse, only refer to the County of Waterloo. There was nothing taken out of bond in Guelph at all.

8241a. So the proof gallons of spirits were all manufactured within Waterloo?—Altogether at Seagram's distillery. The beer was manufactured in both counties. These are standard gallons.

REV. ANDREW CUNNINGHAM, of Guelph, Minister of the Methodist Church, on being duly sworn, deposed as follows:—

By Judge McDonald:

8242a. How long have you resided in Guelph?—Two years and three months.

8243a. We have had placed before us and put in evidence, the declaration on the question of prohibition adopted by the conference of your Church at Montreal, at the last General Conference. Do you personally concur in that ending and deliverance?—Yes.

8244a. Speaking as a pastor, have you found any amount of trouble and distress occasioned in families owing to the use of intoxicating liquor?—Yes.

8245a. Have you noticed whether the poverty among the people may be attributed to any extent to intemperate habits?—I think almost wholly so.

8246a. Have you had any experience of the working of a prohibitory law?—Yes, while the Dunkin Act was in force in Prince Edward County some years ago.

8247a. Did you live there while it was in force?—Yes.

8248a. How did you find it succeed?—It was beneficial on the whole, there was much less drinking. While there were violations of the Act, still on the whole the benefit was very material.

8249a. Did the people continue that law?—No.

8250a. Was it repealed while you were there?—I think it was shortly after.

8251a. Do you remember what led to the repeal?—So far as I could learn, they felt that the judge was not in sympathy with the movement, and they found difficulty in getting convictions, and in enforcing the Act for that reason. It may be that the people got somewhat discouraged.

8252a. Were representations made to the Government in any way in regard to that state of things?—I cannot say.

8253a. Do you mean to say that the discharge of his duty by the Judge was impugned, or was it that the people were not satisfied with his decisions?—The people were not satisfied with the decisions.

8254a. Did the Act work well in other respects?—It was considered to work well as a whole.

8255a. Why did they allow that to influence them in the repeal, if the Act worked well, even if the decisions were not what they would like?—Because they were introducing the Scott Act measure in other places, and they thought it would be better perhaps to see how that would work.

J. B. POWELL.

8256a. Was the Scott Act voted upon in Prince Edward?—Not during my time.

8257-8a. Was it voted upon afterwards?—I do not remember, I think so.

8259a. Do you think the benefit that resulted from the Dunkin Act would lead people to favour the adoption of the Scott Act?—I would not say that, but I think it would lead them to be favourable to prohibition, constitutional prohibition, not statutory.

8260a. I find that, on October 30th, 1884, a vote was taken in the County of Prince Edward on the Scott Act, and it was defeated by a majority of 125. So it does not appear to have been in force there?—No.

8261a. You do not know what prevented its being carried?—I think there was a feeling that they would prefer constitutional prohibition instead of a statutory enactment that seemed to be tentative and might be changed at any time.

8262a. Was there a large amount of barley raised at that time in Prince Edward County?—Yes.

8263a. Did you ever hear it stated that the farmers, owing to their interest in barley raising and the brewing business, were influenced, to some extent, in voting upon the Scott Act?—No, because it was after my time that the vote was taken on the Scott Act.

8264a. Then you are unable to state what led to the Scott Act being defeated?—I am unable to state.

8265a. Have you had experience of the working of a prohibitory law anywhere else?—No.

8266a. Have you had experience of the working of a license law in more counties than one?—Yes.

8267a. Taking the community in which you live now, how do you find the license law carried out?—I do not know that I am prepared to answer that question. If you asked me whether drunkenness prevailed, whether drunken men were to be found on the streets, and if there was drunkenness in the homes, I could answer that.

8268a. What do you say as to that?—I have seen drunken men on the streets here, and I know of other men who drink, and whose families suffer in consequence of their drinking. I know that the hotel-keepers have been forbidden to sell liquor to those men, but still they get it some way and continue to drink, and the results are evil and only evil.

8269a. Are you opposed to the licensing of the traffic on principle?—Yes. I think we ought not to frame a law to support an iniquity.

8270a. You look upon the license traffic as an iniquity?—I consider the traffic in strong drink to be such.

8271a. Do you look upon the licensing of it as the licensing of an iniquity?—I do, certainly.

8272a. Would you favour the enactment of a prohibitory law for the whole Dominion, preventing the manufacture, importation and sale of intoxicating drinks for beverage purposes?—Yes.

8273a. Would you except from the provisions of that enactment, liquor needed for medicinal, mechanical and sacramental purposes?—Under certain restrictions.

8274a. In case such a law were passed, do you think the liquor needed for those excepted purposes, should be manufactured by the Government or by private enterprise?—I should think it would be wise for the Government to deal with the question.

8275a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I do not see why they should be.

8276a. Is there any statement you would like to make yourself in reference to other points of this question than those which you have been asked about?—I think that while there is no country, perhaps, where national prohibition has been tested to the full extent, we ought, as a Dominion, to take an advanced step. We stand in the forefront of nations in educational improvements, and I think as a Dominion we ought to give an example to the world of what prohibition may do for a country. We are in a good position to do it, and I think it would be a great blessing to our country and to our young people if we were to do it.

8277a. In case of the enactment of such a law as you wish for, would you have its provisions extend to the prevention of wine being manufactured by farmers in their own houses, and would you prevent them making cider and home-brewed ale for their own family use?—The law prevents them from manufacturing now to a certain extent. So far as the manufacture of wine is concerned, I do not know that prohibition would touch their rights in that respect. I do not know that any abuse grows out of the fact that some of them do make wine and use it. If it is wine like that which Pharaoh's butler squeezed out of grapes into a cup, no doubt it is good, and I do not know as it would hurt any one. I know there is a certain amount of that made and used, but I have never known any evil effects to come from it.

8278a. In case it was fermented wine, would you interfere with it?—I think that the law now allows them to make fermented wine and deal in it; I do not see that we should make any new enactment in relation to it.

8279a. We have been making investigations within the last few days in the County of Essex, and we understand that a large number of farmers there make this wine from their own grapes. I suppose you have known farmers to make cider which becomes intoxicating?—I have heard of such things. I have known them to make cider and drink it, but I have never known them to become intoxicated by it.

8280a. Have you known cider itself to be intoxicating?—Yes, I have known that.

8281a. Would you favour a law which would prevent the making by farmers of such wine and such cider as we are speaking of?—Well, I think the law as it stands is all right on that question; I do not see that we need to make any new enactment. I do not think laws are passed on that line.

8282a. Your idea, then, would not be to prevent that kind of manufacture?—No, only to prevent the manufacture and sale of intoxicating liquors as a beverage.

8283a. The manufacture for traffic purposes?—Yes.

8284a. Would you prevent individuals from importing liquor to use in their own houses?—We prevent them now under the license system; I do not see why we should not. Do we not prevent that now?

8285a. No, they are not prevented now from importing to use in their own houses.—Well, I think I would do away with the whole business, because I consider it an evil.

8286a. You would prevent that importation?—Yes; and if, in order to make up for the loss of revenue, it was necessary to resort to direct taxation, I think the people are prepared to stand it. I believe it would be better for the country, and the country would be richer in a few years.

By Mr. Gigault :

8287a. Do you think it is a sin to take a glass of cider?—When you come to deal with the moral aspect of drinking, a thing may not be a sin, yet it may not be the best. It might not be wrong for him to take a glass of cider, yet it might not be the best. If it was intoxicating, his example might not be beneficial to others. I have a right personally to abstain from using it, though there might not be what you would call a sin in taking a glass of cider. When you come on to high moral ground, a thing may be right in itself, but not the best.

8288a. If it is right to take a glass of cider or to take a glass of wine, the licensing of such a traffic is not immoral, is it?—Yes, but we are not licensing that, we are licensing the sale of alcoholic beverages.

8289a. Did you not say a few minutes ago that the licensing of the sale of liquors is immoral?—Yes, I believe it is.

8290a. Then if it is not a sin to take a glass of cider or to take a glass of wine, how is it immoral to license the traffic in those liquors—because we consider generally that what is immoral is a sin?—There is no analogy. You are taking some exceptional points; you are speaking of wine and cider that are not intoxicating.

8291a. Do you mean to say that cider and wine, after they have fermented, are not intoxicating?—Certainly they are; and then I think it would be wrong to license a person to sell intoxicating wine or intoxicating cider that would make another person drunk. The licensed sale of any article, the influence of which would cause a man to

REV. ANDREW CUNNINGHAM.

rob his family of the protection that he would give them and of the results of his toil, I think is immoral, the results of it are immoral.

8292a. Did you not say it was not a sin to take a glass of cider?—I did say that it might not be a sin to take a glass of cider, if the cider was not intoxicating, or if the wine was not intoxicating.

By Judge McDonald :

8293a. Suppose these beverages were intoxicating, would it be a sin to take them?—It might, and it might not. It depends on circumstances.

8294a. According to a man's conscience?—No, I would not say according to conscience, because conscience only reflects the knowledge of the man.

8295a. According as to whether the results were right or wrong?—According to the moral effects. We are to judge the moral results of an action.

8296a. Do you mean to say this: that if a man took a glass of fermented wine or cider and was not injured by it, there would be wrong in his doing it?—It would be wrong if he injured somebody else by it.

8297a. But, unless he injured himself or somebody else, there would be no wrong in it; but if injury resulted to himself or to somebody else, then it would be wrong—is that what you mean?—I would not say that there was a moral wrong in using it, if there were no evil effects to him or to anybody else; but then we know that evil effects do follow.

8298a. Therefore, can it be right in any case whatever to take it as a beverage?—That is just the question, of course, where we differ.

8299a. Who differ? There has been no opinion expressed upon it at all yet by anybody; we are trying to get one from you?—I mean that the temperance people and those who are opposed to temperance differ on that question. We hold it is wrong, and the others hold it is not wrong. Then there is a class that come between.

8300a. Then you do hold that it is wrong?—I hold, in view of the light we have on this question, and in view of the evils which result from the use of intoxicating beverages, that if we are going to take high moral grounds, it is wrong.

By Mr. Gigault :

8301a. As you are a minister of the Church, I thought you knew more about it than we do, and therefore I asked you if it was a sin?—Of course these are very delicate questions to answer. You have got to come down to nice definitions.

8302a. But you have come to the conclusion that the licensing of the drink traffic is immoral?—Yes.

8303a. I want to know on what ground it is immoral. I asked you if it was a sin to take a glass of cider or a glass of wine, and you said it was not a sin. If it is not a sin it is not therefore immoral, and consequently the licensing of the liquor traffic is not immoral?—You only take part of the system.

8304a. Either it is a sin or it is not. If the taking of a glass of cider or wine is not immoral, then it is not immoral to license the traffic in cider and wine?—I suppose you have read the Bible, and in the Bible it says that under certain circumstances a man may take a glass of wine and it is right, but under other circumstances it is not right to do so. In the one case it is a sin, and in the other it is not.

8305a. The Bible says it is good for man's health to take a glass of wine?—That was wine that was not intoxicating.

8306a. If it is good for man's health to take a glass of wine, then I see nothing immoral in taking a glass of wine; and if it is not immoral to take a glass of wine, I want to know from you why the traffic in wine is an immoral traffic?—Because "wine is a mocker; strong drink is raging; and whosoever is deceived thereby is not wise"; therefore I hold the traffic in such wine is immoral. I think it leads to immorality in the community, and that it demoralizes the man who engages in the traffic, in the long run.

8307a. Well, the abuse of liquors is immoral, but I consider the moderate use is not immoral?—Yes, but we do not have the moderate use under the license system, therefore I consider it is immoral. It never ends in the moderate use.

8308a. You do not know of any man who makes a moderate use of liquors?—I do not know of any man that stops at moderation, but he continues until he uses it immoderately. I have heard of such men, read of such men, but I do not know of any. He always becomes immoderate. That has been my experience and observation.

8309a. Then why does not the Bible say that it is immoral to take any quantity of liquor? You said a few minutes ago that the Bible itself allows the moderate use of liquors?—I beg your pardon, I did not say so. I said that it allowed us to use a certain class of wine. But another class it forbade, and said it was an evil.

8310a. If it allows the use of a certain class, then it allows the certain use of wine?—Certainly, but that was not an intoxicating and fermented wine, as I understand the Bible.

8311a. Does the Bible speak of fermented and unfermented wine?—It speaks of two different kinds of wine.

8312a. But it does not speak of fermented or unfermented wine?—It speaks only of wine.

By Judge McDonald :

8313a. Is there any further statement you would like to make yourself?—No, I do not think of anything.

GEORGE SLEDMAN, of Guelph, brewer, on being duly sworn, deposed as follows:—

By Judge McDonald :

8313 $\frac{1}{2}$ a. How long have you resided in Guelph?—Since 1847.

8314a. How long have you been engaged in the brewing business?—Personally since 1859.

8315a. You have carried on that business from that time till the present, and are still carrying it on?—Yes.

8316a. Did you find that your output was affected to any extent by the Scott Act, when it was in force?—No.

8317a. Was there an increase or decrease, or did it continue about the same?—Really I cannot recollect what years the Scott Act was in force in this municipality.

8318a. Taking your business then for the last six or seven years, has there been any appreciable difference in it from year to year, one way or the other?—Yes.

8319a. In what direction?—An increase.

8320a. From year to year?—It was almost at a standstill for two years, that is, it was about equal for two years.

By Mr. Clarke :

8321a. Do you recollect what two years they were?—Yes. I have taken down the figures of the output from year to year since 1884:—

Year.	Output in barrels.
1884.....	17,010
1885.....	17,950
1886.....	20,063
1887.....	21,022
1888.....	21,009
1889.....	22,390
1890.....	23,115
1891.....	22,505
1892.....	24,165

REV. ANDREW CUNNINGHAM.

8322a. In case a prohibitory law were enacted, preventing the manufacture of beer for beverage purposes, would it affect you injuriously?—Certainly it would.

8323a. Would your plant and machinery be rendered useless?—Yes.

8324a. Is there any portion of that plant which you have had to put in in compliance with Government regulations?—Yes.

8325a. Have you had to pay a duty to the Government during the whole time you you have been a brewer?—Yes.

8326a. Do you take a license from both the Dominion and Provincial Governments?—Yes.

8327a. During the time that the Scott Act was in force in this city and neighbourhood, did you notice whether there was the same consumption of your ale in the immediate district as there was the years before and the years since?—I did not notice any difference in the consumption.

8328a. Did you find any difference in the mode in which it was furnished, that is, whether it was furnished as usual to persons in the business, or whether more was furnished to private families?—I do not think there was any difference. We continued to sell it to the same line, principally to hotels.

8329a. While the Scott Act was in force, did you find any difficulty in making your collections; in other words, did you find any people who, having bought from you, objected to pay because they claimed the sale to them was not lawful?—Only in one case. My collections, I think, were better.

8330a. Were you a supporter of the Scott Act yourself?—No.

8331a. Did you support its repeal?—I did.

8332a. For what reason, if it is proper to ask you, with the condition in which your business was?—I thought it was demoralizing to the general public.

8333a. In what way did you think that result was caused?—It was under my immediate notice and I also heard that in liquor prosecutions there was more false swearing, perjury, than I ever heard of before or since.

8334a. As a citizen, did you notice the effect of the law at all?—Yes.

8335a. How did it affect the sobriety of the community, speaking of the city?—I noticed that it led a great many young men to drink that I had never seen drinking before, I might say minors who were led into bad habits which I am afraid they will never get over.

8336a. Did you notice whether there was as much drunkenness upon the streets of the city as before?—Yes. My business calls me into the city very often in the evening, and in driving home I have noticed on various occasions persons howling on the streets, more so, I think, during the time the Scott Act was in force, than since.

8337a. Did you hold any official position in the city then?—Yes, but not now. I was Mayor.

8338a. What year was that?—1880, 1881, 1882, and again last year.

8339a. Is there any statement you would like to make to the Commission in reference to the questions which are under investigation by us?—There is one remark I would like to make. The reverend gentleman who gave evidence a few moments ago stated that he had never seen a person that had drunk liquor moderately, who did not become an immoderate drinker, or words to that effect. I can say that he can see one here in myself. I have been engaged in the business all my life. I take liquor when I want it, and I know how to leave it alone; and I defy any person to say that he has ever seen me the worse of liquor.

8340a. Have you any other figures bearing upon this inquiry?—I was called upon to give a statement of the amount of barley that I used during each year, and I have jotted these figures down for the last ten years:—

Year.	Bushels of barley.
1883.....	27,289
1884.....	30,335
1885.....	38,232
1886.....	40,711
1887.....	42,727

Year.	Bushels of barley.
1888.....	54,203
1889.....	53,583
1890.....	47,113
1891.....	47,435
1892.....	57,227

8341a. Where did you get your grain?—It is all purchased on this market, and raised by farmers in this section of the country.

8342a. Are you yourself interested in the hotel business of the city?—Not further than having the ownership of some buildings.

8343a. Had you that ownership at the time the Scott Act was in force?—Yes.

8344a. Were they buildings that were rented to persons who kept hotels?—Yes.

8345a. Did you have to find other channels for the product of your brewery during the Scott Act period, or did the product flow in the ordinary channels?—There was no difference.

8346a. Was there any appreciable diminution in the sale in the County of Wellington?—There was no noticeable difference.

8347a. It is claimed that beer being bulkier than whisky, one of the effects of the operation of the Scott Act was to reduce the sale of beer and increase the sale of whisky on account of the latter being less bulky. What has been your experience?—The Scott Act was very general throughout Ontario, and my business at that time did not extend beyond this Province; consequently you may see from the figures I have given you, that there was no noticeable difference in our sales.

8348a. You say in the event of a prohibitory law being passed, you should be compensated for your plant and machinery. Supposing a change was made in the tariff which rendered the machinery of certain manufacturers practically valueless, do you think they should be compensated?—I cannot say as to that. I am only speaking for myself. My business has been legalized, I have been carrying it on for a long time, it has been growing, and I have been obliged to make a large outlay in order to get those articles which I require. During that time I have been paying a very heavy revenue to the Government, and I think I would have a perfect right that the Government should pay me for the loss.

8349a. It has been argued that you should take the chances of having your business wiped out the same as any body else?—Not when it is legalized. The Government receive revenue from me; the largest revenue, I believe, received from any source, is paid by the brewers,

8350a. You say there was more drunkenness noticeable on the streets during the Scott Act period than before or since?—Yes, I noticed it at night.

8351a. Were the police as vigilant as they were before or since?—I think so.

8352a. Now, statistics have been put in this afternoon making things look a little different. The figures for arrests during the Scott Act years, were 93, 165, and 129, as against 195, 129 and 135, in the preceding years?—The arrests of course fluctuate.

8353a. But if there was more drunkenness and the police were as vigilant in doing their duty, there should have been more arrests during the Scott Act period?—You would naturally expect it, but I know there was more drunkenness. I saw, as I have told you, minors in large numbers in hotels that I had never seen there before, and I have seen them since on the streets carrying out the same system of drinking.

8354a. Have you an idea as to the number of places that were selling liquor during the Scott Act?—I do not know of any that were selling illicitly other than the hotels.

8355a. The evidence is that there were new places starting up?—I do not know anything about them. I did not supply them.

By Mr. Gigault.

8356a. How many men do you employ in your brewery?—The number varies from 55 to 90.

8357a. What is about the total amount you pay to your men in salaries during the years?—About \$35,000.

GEORGE SLEDMAN.

8358a. What amount do you spend every year for barrels?—About \$2,500 would keep me supplied. But I have an enormous quantity on hand.

By Mr. Clarke :

8359a. Since the Scott Act was repealed there has been a substantial reduction in the number of arrests as compared with the Scott Act period, or the three years before that. Are there any special reasons why that better condition of things should have existed since the Scott Act?—I do not know, I am sure.

8360a. Would it be due to the influence of the Scott Act during the three years it was in existence?—I do not think so; I think it was demoralizing.

CHARLES RAYMOND, of Guelph, manufacturer, on being duly sworn, deposed as follows:—

By Judge McDonald :

8361a. In what line are you manufacturing?—Sewing machines.

8362a. How long have you lived in Guelph?—Thirty-one years this month.

8363a. Have you been engaged in the manufacture of sewing machines during that time?—Yes.

8364a. How large a number of men do you employ?—About 150.

8365a. Are they people of different nationalities?—Yes.

8366a. Taking them all in all, what are their habits as to sobriety?—If they are not sober I do not keep them.

8367a. I am speaking now as to their general character. Are they people of sober habits?—Yes, certainly.

8368a. In case you find a man becoming intemperate, you part with him?—I do the best I can to save him, if I cannot save him, I let him go.

8369a. You have no rule that your employees shall be total abstainers, but that they shall be people of temperate habits?—Yes.

8370a. Have you suffered much from intemperance among your working men?—I have sometimes, at some stages of my business career. At one time I had quite a number of men that were of intemperate habits. Unfortunately the foreman had the same habits, and they spread among the men. At that time I found that men were slipping out of the place and running across the old grave yard to a place that was open for them to fill up, and they did so to the detriment of my business, and of course I had to put a stop to it.

8371a. Have you suffered at all in this way—one man given to intemperance, and other men being unable to work because they depended upon his work to do their own?—We have more or less of that, we cannot help that.

8372a. Have you held any public office yourself in this city?—I have been in the City Council and the County Council.

8373a. As a citizen have you observed whether the provisions of the license law are fairly carried out?—I think that the officials who are charged with it, try to carry it out. I suppose they can hardly say that they succeed every time in doing so, but I think they would like to do it.

8374a. Have you had any experience of the working of a prohibitory law other than the Scott Act?—No.

8375. What was the result of your experience in this city and neighbourhood?—I think the result was beneficial while we were trying to enforce it; but the difficulties of enforcement were so great that I think the temperance people felt that it was next to no law for accomplishing the object.

8376a. Did you support the law when it was passed?—Certainly.

8377a. Did you support it at the time the repeal vote was taken?—Yes.

8378a. And you still endeavoured to keep it in force?—I think it would have been well to keep it in force.

8379a. You think the state of things during the Scott Act was better than since under the license law?—I think to every impartial mind it was very evident.

8380a. Do you think there has been an increase of intemperance since the Scott Act was repealed?—Of course I do not go to places where the thing is sold, but my observation has been this: During the enforcement of the Act I lived in a very prominent place where a large portion of the population passed by my residence, and I think I saw more people under the influence of liquor during one week after the law was repealed than I did in the year before.

By Mr. Clarke:

8381a. Was that the week immediately following the repeal?—Yes, immediately following. I suppose they felt happy, and that was a special occasion.

8382a. How has it been since that week?—I do not think there is a week passes by now but that I see somebody pass under the influence of liquor, sometimes three or four a week. During the Scott Act I cannot say how many were intoxicated in back rooms or out of the way places, I do not know how much liquor was drunk. But speaking from observation, a great many more people passed by my place to-day under the influence of liquor than during the time the Scott Act was in force.

8383a. From your own observation, would you prefer the Scott Act, even with the feeble enforcement of which you have spoken, to the present state of things?—Yes, I think I would, but I would prefer not to have either.

8384a. Do you yourself favour the total prohibition of the manufacture, importation and sale of intoxicating drinks for beverage purposes?—Certainly, and I have practiced it since I was five years old.

8385a. In case of the enactment of such a law, would you make any exception in favour of liquor needed for medicinal, mechanical and sacramental purposes?—I would place liquor just where I would place laudanum or any other useful drug; I would allow people to procure it, where needed, for mechanical and medicinal purposes, but surround it with proper restrictions, but everything with a view of leading people to sobriety. I cannot tell exactly what would be necessary.

8386a. Would you favour the manufacture for these purposes, by the Government or by private enterprise?—I think the Government should take the thing in hand.

8387a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—If the Government should pass a law to render my machinery inoperative or worthless to me, I consider that they ought to pay for it; but if I were manufacturing an article which was injuring my fellow men, it might be another question.

8388a. In case of brewers and distillers, would you favour their remuneration?—It is possible that liquor might require to be manufactured for medicinal and mechanical purposes, and these people might do it.

8389a. You said you thought it better to commit the manufacture of liquor for those purposes to the Government, therefore these people would be deprived of even that amount of manufacture. Would you deem it right that they should be remunerated for their plant and machinery that would be rendered useless by the enactment of a prohibitory law?—It is a question I would rather not answer.

8390a. Have you considered how the revenue for the Dominion, Provincial and municipal purposes would be made up in case of the enactment of such a law?—I would just as soon pay the taxation necessary for the support of the Government as to pay for the support of the poor. I have not the least doubt but that in this city I have paid more for the support of the poor, both those on the list of paupers and in private charity, to those who were suffering from the influence of drink, than I would have to pay as my share of direct taxation to support the Government.

8391a. Take the case of the Dominion revenue, the six or seven million dollars which would be lost, how would you propose to make that up?—I do not pretend to be a Finance Minister, but I think I could find a way.

8392a. In order to secure such a law as you wish for, you would be willing, if need be, to submit to direct taxation to meet that amount?—Certainly I would.

CHARLES RAYMOND.

8393a. Do you know any other country in which such a law as you favour is in force?—Not as a whole country. There are some localities where local option has been adopted.

8394a. I mean a law prohibiting the manufacture, importation and sale; do you know any locality where such a law is in force?—I think it has been discussed in Germany, but it is not in force.

8395a. Then you do not know of any country where such a law is in force?—No.

8396a. Would you carry prohibition so far as to prevent farmers from making fermented wine and cider for their own use?—I do not see how you could. I think that would be encroaching upon personal liberty.

By Mr. Clarke:

8397a. Are you not encroaching on personal liberty if you deprive a citizen of the right to bring in liquor for his private use, if he does not choose to manufacture it? In other words, would it not be class legislation to allow the farmer who has a vineyard or orchard to make wine or cider, as the case may be, and not allow the mechanic or the merchant to bring in wine, or cider, or beer, for that matter, for their private use?—You can draw those things very fine, sometimes so fine that we barely know where we are.

8398a. Would it not be class legislation to let the farmer make and drink wine and cider that are intoxicating, while you or I, if we desired wine, would not be permitted to purchase it from the farmer nor to import it for our own private use? That is one of the things in reference to which we would like to get expressions of opinion from leading citizens. What have you got to say about it?—I do not know what I could say.

8399a. To be consistent, would it not be necessary to prohibit the manufacture of even wine and cider, if they are intoxicating?—You would have to deal with the maker of the wine if he sold.

8400a. You would not allow him to sell to his neighbour, but you would allow him to make for his own use?—No answer.

8401a. I think you said that to every impartial mind it was manifest and apparent that the Scott Act was beneficial?—Yes.

8402a. Now, as an old resident of Guelph, can you tell us what causes were at work that caused a change of three or four hundred votes in this community in three years, if the benefits that were accruing to the people from the Scott Act were as apparent as you believe they were?—Well, from one point of view, the utter worthlessness of the machinery which was afforded to temperance men to enforce the law, made it impossible for them to form a coalition.

8403a. What coalition?—You must understand that the law was only carried by a majority of 168 votes, and the whole liquor interests had for their allies those who were opposed to the law, and who were almost equally earnest in their endeavours to overthrow it.

8404a. Is it reasonable to assume that those who were lukewarm about the Act, were opposed to it? There were many citizens, no doubt, who were careless about the Act when it was voted upon the first time, and do you assume they were opposed to it?—No, I do not think so. I do not think we ever had a heavier vote in the city. Of course I have not looked at the figures.

8405a. The vote to repeal was much heavier, it was nearly 20 per cent more. On the first occasion 1,220 votes were cast altogether, of which 694 were for the Act; on the question of repeal 1,409 votes were cast, and only 400 against repeal. Now, if the Act was accomplishing these good effects, they must have been apparent to other observant citizens, and how do you account for the fact that one-third of the votes in favour of the Act the first time, fell away the second time?—Simply because they saw the law was useless in its present form.

8406a. Notwithstanding its uselessness, do you still adhere to the view that its good effects were apparent to everybody?—Certainly I think so. The reason why I think it was doing good is because there was less drunkenness and less crime.

8407a. What does the corporation of the town set apart every year for the relief of the poor?—I am not a member of the Council now.

8408a. What was the grant during your time?—About \$1,600. There was besides a good deal of private benevolence, and churches and societies gave a good deal.

By Mr. Gigault :

8409a. If you would allow a farmer to make his own wine, it is because you believe that no harm would result from it?—You will not bother me as you did Mr. Cunningham. You need not try it.

8410a. You must draw distinction?—I am not going into hair-splitting.

8411a. If you want to prohibit the manufacture of everything of which an abuse is made, you must be logical?—You can raise any amount of legal difficulties and magnify them.

8412a. It is not a legal difficulty, it is a question of principle?—You can't catch me.

8413a. The principle is the same for the farmer as for anybody else?—[No answer.]

By Mr. Clarke :

8414a. That very point is one of the difficulties that has to be met and considered?—Well, you must have lawyers to draw the law, and if they do not get all these things right the first time, they must try a second time. That is the way with all laws. It is frequently the case, you find. Even with our tariff laws, they don't always hit it the first time, there are always difficulties. But if there is a desire to meet the case, I think you will find a way. The temperance sentiment is growing, and I hope we will get there soon.

By Judge McDonald :

8415a. Is there any further statement you would like to make yourself in regard to this matter?—I do not know that there is. I may say that I am very glad to see that the temperance sentiment of the community is growing, and I think the Scott Act helps it on.

8416a. Did you notice after the Scott Act was passed, whether the temperance societies relaxed their efforts, considering that they had attained their end?—I think it was just like this: It cost us \$500 to pass the law, and \$200 to help Mr. Cowan to enforce it, and we felt a little as if we had exhausted about all the energies we had to spare at that time, and I think every one felt like sitting down for a little while.

JOHN HARRIS, of Guelph, baker and confectioner, on being duly sworn, deposed as follows:—

By Judge McDonald :

8417a. How long have you resided in Guelph?—I came here in 1837. I resided in Toronto a number of years, but I have been here in town since 1846.

8418a. Have you held any public position?—I was a Councillor for several years, and Mayor one year. I was Mayor in 1874.

8419a. Have you had experience of any prohibitory law except the Scott Act?—No.

8420a. What was your experience of the working of that law?—I did not see a great deal of change in the amount of drinking, or rather in the amount of drunkenness. I did not see much drinking going on either before or after. I saw considerable drunkenness during the Scott Act period, but whether there was as much as before that time or since, I could not say. Perhaps it was more noticeable.

8421a. Did you see the working of the Scott Act anywhere else than in the city of Guelph?—No.

CHARLES RAYMOND.

8422a. How do you find the license law carried out?—I think fairly well. It might be enforced a little better.

8423a. In what respect?—There is a good deal of drinking.

8424a. In prohibited hours, on Saturday night and Sunday?—I see people the worse of liquor. I do not think I have been in a tavern myself during prohibited hours, for seven years.

8425a. It has been stated by one witness that some parties who were seen drunk upon Sunday, got their liquor upon Saturday, some time before the closing hour came on. Do you know whether that is the case?—I do not know.

8426a. Are you in favour of the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of intoxicating drinks for beverage purposes?—I would not oppose it, if it could be done in such a way that those who are engaged in the business would not lose their property.

8427a. Would you favour remuneration to brewers and distillers for plant and machinery rendered useless?—I think it is only right they should be remunerated.

8428a. In case such a law were passed, would you favour an exception of liquors needed for medicinal, mechanical and sacramental purposes?—I think that would be quite proper.

8429a. Have you considered how the revenue would be made up in case of the enactment of such a law?—I have not. At present it is the drinkers who pay the money which makes the revenue, and if there was a tax put upon goods that are generally used, it would fall more equally upon everybody.

8430a. You think that would be better?—It would be more even, I think, because the drinkers pay it now. Every man who takes a glass of grog pays a cent to the revenue.

8431a. In order to procure such a law, would you be willing to have direct taxation put upon the people to make up the amount?—If that is the only way the revenue can be met. I have not considered what would be the better plan.

8432a. How would you provide for the enforcement of such a law?—I cannot say. We found the Scott Act difficult to enforce, and it is difficult strictly to enforce the license law now.

By Mr. Clarke :

8433a. Would you favour the re-enactment of the Scott Act after the experience you had of it?—No, I do not think I would.

8434a. Would you prefer the license system?—I think it is just as good. During the Scott Act I do not know that there was quite as much drinking—at least I did not see as many drunkards. But there was a good deal of bad swearing in liquor cases—at least so I was told.

By Mr. Gigault :

8435a. Was there a good deal of drinking on Sundays when the Scott Act was in force?—I have seen drunken people, I suppose there was considerable drinking.

By Mr. Clarke :

8436a. Have you seen them drunk on Sunday since the Act was repealed?—Yes.

8437a. Then there was practically no difference?—If there was any difference, I think there was less during the Scott Act, for the reason that some of them could not get it. A man that was known to be a hard case could not get it because the tavern-keeper would not let him have it.

8438a. The Act prohibited some people from getting liquor that could get it under license?—I presume it did.

REV. WILLIAM HARTLEY, of Guelph, on being duly sworn, deposed as follows :—

By Judge McDonald :

8439a. Of what church are you a member?—Of the Baptist Church.

8439½a. How long have you lived in Guelph?—Three years.

8440a. Before that where did you live?—In Philadelphia, Pennsylvania.

8441a. Did you live in Philadelphia after the high license law came into force?—
Yes. The Brooks High License Law.

8442a. How did you find that law work?—All over Pennsylvania there was more liquor sold under that law than before. It was peddled from door to door, just like milk. Of course a larger amount was sold wholesale, not so much, perhaps, retail.

8443a. Was the number of licenses limited?—The number was reduced from about 6,000 to 1,500 retail licenses.

8444a. To what power is the licensing committed?—To some of the Judges.

8445a. It is taken out of the hands of the municipal authorities?—Yes.

8446a. You say there was more liquor sold after the law came into force than under the old system?—Yes. A great many wholesale dealers put on a large number of wagons, and liquor was peddled from door to door just like milk. My view of it was that there was more liquor sold under those circumstances.

8447a. How was it as to drunkenness?—Perhaps for a few months after the law came into force, there might be less, but I think that after that it increased, and statistics prove that there was more liquor sold.

8448a. How about Sunday observance?—In some cases I have known whole streets where workmen would get liquor on Saturday night and drink it on Sunday. Hardly a person on those streets would go to church.

By Mr. Clarke :

8449a. Was there anything to prevent them from getting in liquor on Saturday nights before this high license law was introduced?—No, only it was not taken from door to door.

8450a. Why?—Because there were more saloons.

8451a. Was liquor peddled about before the number of saloons was reduced?—No, because it was sold in the saloons themselves.

8452a. Is it better to have liquor sold at the doors than in the saloons?—No, sir.

8453a. You would prefer to have it sold in saloons than to have it peddled about? I prefer neither system.

8454a. Of the two laws, which was the better, in the interest of temperance?—There was not a great deal to choose. The question put to me by the chairman was whether more liquor was sold, and I stated my opinion that there was. It is not a question of my preference, for I have no sympathy with either.

8455a. Was it advantageous to the cause of morality and temperance that an order of things should be introduced under which liquor was peddled from door to door, when such a state of things had not existed before?—No, I do not think it was.

8456a. Would it be better to have the liquor sold in saloons than to have it peddled from door to door?—I won't undertake to say that.

By Judge McDonald :

8457a. Have you had experience of the working of a prohibitory law anywhere?—Yes, under partial local option, in Wisconsin and in Michigan.

8458a. How did it work there?—It worked well in the town where I was. We had no sales for two years, and the result was that during those two years, houses were painted up, fences were fixed, children went to school and wore better clothing, and the business of the town was better, even though outside townships sold liquor, and the law was operated under great disadvantages.

8459a. Is that law still in force?—No.

REV. WILLIAM HARTLEY.

8460a. How do you account for its repeal?—The balance was so close between the two parties that the friends of the law had to make a continual fight to keep it up. Money was spent to break it down.

8461a. Do you think the people as a whole did not appreciate these beneficial results that had followed from the enactment of the law?—I think the better class of citizens appreciated them. But the manufacturers of liquor, and the saloon-keepers, and those in the business, and those that were careless and apathetic, perhaps, did not appreciate them.

8462a. The saloons, I suppose, were closed up while the law was in force, and while those improvements were taking place?—Yes.

8463a. How did they employ themselves during the two years?—I do not know what they did. Some of them remained and some went out.

8464a. Were there brewers' establishments in the town?—No, I think not.

8465a. What was the name of the town?—Augusta, Wisconsin.

8466a. What would be the population of that town?—About 2,000.

8467a. Were the limits like the limits of an ordinary town?—Yes, it was an ordinary town.

8468a. Outside that they were allowed to sell?—In the townships they were allowed to sell.

8469a. Did you find as the result that in the townships there were places for sale near the town limits?—Yes, in one or two cases there were places near the town.

8470a. Did people go out there to get drink?—Some did, who were addicted to drink; but of course those that did not want it very badly, did not go out.

8471a. What was the name of the place in Michigan?—Troy.

8472a. Was it the same kind of a law as you had in Wisconsin?—I do not exactly know what the law was there, only that they could prohibit the liquor traffic if they pleased. It was the same sort of population.

8473a. Did they exercise the right to prohibit?—They did in that town.

8474a. With what results?—With beneficial results.

8475a. Did the law in either place prevent people from bringing in liquor into their own homes for their own use?—I think not.

8476a. Did it close up the open saloons?—Yes.

8477a. Is that law in force still in Michigan?—I could not say.

8478a. Going back to Philadelphia, can you say whether high license had any effect in securing a better class of men to hold licenses?—I cannot say as to that. Of course it was a monopoly, and men who were wealthy and able to carry the monopoly, did so. I think they just squeezed out a number of the smaller dealers.

8479a. Has the church of which you are a minister made any declaration on this question in the Province of Ontario?—I think so; just what it is I cannot tell.

8480a. Individually, do you favour the enactment of a prohibitory law, prohibiting the manufacture, importation and sale of intoxicating drinks for beverage purposes?—I do.

8481a. Would you except in that case liquor for mechanical, medicinal and sacramental purposes?—I would.

8482a. Would you favour remuneration to brewers and distillers for the loss of their plant and machinery which would be rendered useless?—No.

8483a. As a clergyman visiting among the people, have you found any distress and suffering caused to any extent by intemperance?—I have found more distress and suffering from that cause than from all others put together in my pastorate of twenty years.

8484a. Is there a rule in your church that a member must be a total abstainer?—Do you mean the local church?

8485a. Take the local church?—It is understood that our church members are total abstainers. I do not know of any that are not.

8486a. Is membership refused to persons engaged in the liquor traffic?—Yes.

8487a. It is refused to brewers and distillers?—Yes.

8488a. Can each congregation make rules for itself in that respect?—Yes, each church is independent.

8489a. Is there any other statement you would like to make yourself in relation to this subject?—I have found a great deal of drinking in Guelph, I have found a great deal even among families. With regard to these taverns, I know of cases where men have been turned out at three o'clock on Sunday morning drunk, and I know a number of families where there is great suffering on account of drink.

8490a. Do you know whether the attention of the police force has been called to these cases?—I do not think so.

8491a. Has the attention of Inspector Cowan been called to them?—I cannot say. I think in some of those cases the tavern-keepers have been notified, but apparently it makes very little difference.

ROBERT CUNNINGHAM, of Guelph, Fire Insurance Agent, on being duly sworn, deposed as follows :—

By Judge McDonald :

8492a. How long have you resided in Guelph?—About twenty years.

8493a. Can you tell us from your own observation whether the license law is well observed here?—So far as my experience goes, I would say well.

8494a. Taking the period when the Scott Act was in force, and the periods before and since, in which did most drunkenness prevail, according to your observation?—I think most during the Scott Act.

8495a. Do you refer to the city or to the county outside?—I refer to five or six counties where the Scott Act was in force.

8496a. Did you travel through those counties when the Scott Act was in force?—Yes; and I am conversant with them for thirty years.

8497a. From your observation before the Scott Act was in force, while it was in force, and after it was repealed, do you believe there was more drunkenness during the time of the Scott Act in this city and in those counties, than before or after?—I could not give an opinion as regards the amount of liquor sold, but the effects of liquor were more noticeable, I am satisfied, during the Scott Act, than before or since.

8498a. To what do you attribute that?—I cannot say.

By Mr. Clarke :

8499a. What opportunities did you have of ascertaining that condition of things?—I was travelling through those counties a great deal while the Scott Act was in force. I am more confined to my office now. I have been all through Halton, Wellington, Waterloo, Huron, Bruce, and some of Dufferin. I stopped invariably at hotels.

8500a. And from personal experience, in all those counties, you have come to that conclusion?—Yes.

By Judge McDonald :

8501a. Do you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of intoxicating drinks for beverage purposes?—I do not, for two reasons. I have yet to learn that evil results from what we may call the temperate use of liquors. I have had a very wide experience—few men have had such a wide experience, and covering so many years and as much ground—and from that experience, I am under the impression that prohibition would not prohibit.

8502a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—These men have been encouraged by the country, they have been encouraged by many of us to-day, and have been encouraged by men who are now possibly pressing for a prohibition law.

8503a. Would you remunerate them?—I would, certainly. Vested rights should be respected.

REV. WM. HARTLEY.

By Mr. Clarke :

8504a. Why do you think a prohibitory law would not be successful?—It is impossible for me to go through the country as much as I have done, stopping at so many hotels, without seeing that the law-makers of the country were violators of the Scott Act just as much—I will not say just as much—but frequently, as well as the most degraded of the country.

8505a. Would you prohibit the manufacture of liquor for beverage purposes?—You cannot prohibit it.

8506a. And the importation?—Wherever the whiteman goes, sufficient science will follow him to manufacture intoxicating drinks.

8507a. Do you think there would be illicit distillation carried on?—Illicit distillation and illicit distribution.

8508a. Have you any further statements you wish to make on this subject?—Only that I think there are many good, well-meaning, zealous men pressing for prohibition who, I believe, if they were better acquainted with the country, and had had the experience of the Scott Act that I have had, would change their opinion. Men that we would trust in any sense of the word will drink whisky illicitly; and even in court, where cases have been tried for selling whisky illicitly, men who would be believed in every other circumstance, cannot be trusted on oath. It is a fact hard to account for, but it is a most regrettable fact. I am of the impression that we have too many licensed houses, and although there are many good men now in the business, I think licenses should be granted with more care, and less of them than we have.

JONATHAN KELLY, of Guelph, on being duly sworn, deposed as follows:—

By Judge McDonald :

8509a. How long have you resided in Guelph?—About 41 years.

8510a. In what business are you engaged?—I am not engaged in any business at present. For many years I have been Chief of Police in Guelph, but I have now retired from that position.

8511a. How did you find the license law carried out while you were Chief of Police?—If you will permit me, I might explain the beginning of it. I first went into that position before the Crooks Act came into force. Liquor licenses were controlled by the municipality, and I had some difficulty in enforcing the law. However, I did succeed fairly well in enforcing it, but there were a great many people who would sell without license. The municipal council at that time were in the habit of licensing almost anybody.

8512a. How did you find the law worked when it was managed in that way?—Not very successfully, I had a good deal of trouble with it. A great many unlicensed places started up, but I succeeded pretty well in breaking up that sort of thing. I was the first one to suggest to the Ontario Government a change in the law, taking the control of licenses out of the hands of the municipality and placing it under a Commission. That would be about the year 1872 or 1873.

8513a. When the control was transferred to the Province, was there an improvement?—No doubt.

8514a. You think it is better, while there is to be a license law, that it should be under the management of the Provincial Government?—I do.

8515a. What experience did you have of the working of the Scott Act?—I had nothing to do with that.

8516a. As a citizen, how did you find it work?—I had not a chance to observe it a great deal, on account of my health being bad, but I know there were a good many complaints both ways.

8517a. Do you favour the enactment of a prohibitory law for the whole Dominion, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage

purposes?—I have seen, in my experience, the effects of the use of liquor in a marked degree, and I would favour a prohibitory law.

8518a. Would you make an exception in favour of liquor needed for medicinal, mechanical and sacramental purposes?—I think I would.

8519a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for the loss of their plant and machinery rendered useless?—That is a matter I could hardly answer.

8520a. Do you hold office in the city now?—I am an alderman for one of the wards.

By Mr. Clarke :

8521a. What was the effect of the adoption of the Scott Act?—From what I saw of the Scott Act, there was not as much drunkenness apparent on the streets.

8522a. Then it was beneficial?—Yes, in that way.

8523a. Would you favour its re-enactment, or do you prefer the present system?—Of the two, I would prefer the present system.

8524a. Why?—Simply because I think the officers are more directly under the Government, who are responsible for enforcing the law. Both the Ontario and Dominion Governments disclaimed the duty of the enforcement of the Scott Act.

8525a. But you had the Inspector here doing his duty, and you had the police force aiding him?—There were a great many complaints about its not being properly enforced, and complaints in the way in which it was enforced.

8526a. Are there complaints now about the non-enforcement of the license law?—There are some.

8527a. As many as about the enforcement of the Scott Act?—I think not; not to my knowledge.

8528a. Of the two systems, you think you would prefer license to the Scott Act, owing to the way in which the latter was enforced?—Yes.

8529a. What kind of offences were caused by the use of liquor?—There were a great many cases of assault and battery, and of violence against the person.

8530a. Taking cases of robbery, forgery and arson?—I had a great deal of experience in that line, and I found that, as a rule, those criminals were not much addicted to drink. They were pretty sharp. I was troubled a great deal with wife-beaters, through the influence of liquor, but men who were guilty of burglary and arson were of a different stamp of criminals. I have found that this sort of criminals runs in different classes. For instance, you will hardly ever find a burglar committing any other sort of crime, and men who are in the habit of stealing horses generally stick to that business. I remember I had to handle two murder cases, and both were caused by drink.

The Commission adjourned.

OWEN SOUND, October, 20, 1893.

The Royal Commission on the Liquor Traffic met here this day at 10 a. m.

Present :

JUDGE McDONALD.

MR. E. F. CLARKE.

MR. G. A. GIGAULT.

CHARLES H. MOORE, of Owen Sound, Sheriff, on being duly sworn, deposed as follows:—

By Judge McDonald :

8531a. You reside in Owen Sound?—I do.

8532a. How long have you resided here?—Thirty-one years.

8533a. You are Sheriff of the county?—Yes.

8534a. How long have you been Sheriff?—Over thirteen years.

8535a. Do your duties call you through the county a good deal?—Formerly; not now.

8536a. Is your outer work done by assistants?—Yes.

8537a. His Worship the Mayor not being present, we are not able to obtain from him some information we desired, and will ask you as an old citizen. What in round numbers is the population of your town?—Somewhere in the neighbourhood of 7,000 or more.

8538a. Have you a law-abiding and orderly people here?—I think so.

8539a. Have you many industries carried on in the town?—Some. We have two or three foundries and a chair factory: these are the principal industries.

8540a. You have had quite a large ship-building industry here?—Yes. That is greatly diminished.

8541a. You still have a large shipping trade here, I suppose?—Yes, a large shipping trade.

8542a. Did the ship-building industry bring many workmen to the town?—At one time it did.

8543a. And I suppose the shipping trade brings a good many sailors?—Yes.

8544a. So that you have had and now have in your community different elements of population?—Yes.

8545a. And taking these all into consideration, you believe you can call this a law-abiding and orderly community?—I think so.

8546a. How is it as to sobriety?—I think it will compare favourably with other communities of similar population.

8547a. Do you know how large a police force is maintained in the town?—There are three constables—a chief and two assistants.

8548a. Taking your experience as High Sheriff of the county, extending over a period of ten years, have you found that crime has decreased in this community?—It has unmistakably.

8549a. Have you as a citizen observed whether there is a growing temperance sentiment and temperance habit in the community?—Yes, the drinking usages of society have greatly improved.

8550a. Have you noticed whether the influence of the different religious communities and of temperance societies has exercised a good effect in producing that state of things?—I think so. The advocacy of moral principles and temperance has had a beneficial effect.

8551a. We understand that this county is now under the operation of the Ontario License Law?—Yes.

8552a. Have you many licensed places in Owen Sound?—I think there are twelve or thirteen.

8553a. Have you ever had a prohibitory law in force in this county?—At one time we had the Dunkin Act.

8554a. How long ago was that?—I think somewhere in the neighbourhood of 1875 or 1876.

8555a. How long did it continue in force?—The time fixed by the statute. I can hardly recollect the period just now.

8556a. Did it cease to have effect by effluxion of time, or by the vote of the people against it?—I think it was repealed by the vote of the people.

8557a. Have you ever had the Scott Act in force in this county?—No.

8558a. As a citizen, what was your experience of the working of the Dunkin Act?—Very unsatisfactory indeed.

8559a. In what way was it unsatisfactory?—As near as I can understand, there was a larger consumption of liquor during the enforcement of the Act than previously and a general demoralization.

8560a. Did you notice whether, when that Act was in force, more places were engaged in the traffic than there were under the license law?—I was privately informed of a much larger number where liquor could be obtained at all times, and in addition to that it was generally carried around on the person to a very large extent.

8561a. Was drunkenness apparent at all in the community during that time?—Well, I think so. I think it was very evident.

8562a. It was not banished from the community, then, by that law?—Oh, no.

8563a. Have you had any experience of the working of a prohibitory law elsewhere than in this county?—Yes, in the County of Bruce during the time the Scott Act was in force. I had occasion to go there frequently, and liquor was openly consumed during the whole time of the enforcement of the Act in that county.

8564a. Do you yourself favour the enactment of a prohibitory law for the Dominion prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I do not.

8565a. In case such a law were enacted, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think so, undoubtedly.

8566a. Is there any statement you would like to make yourself on that subject?—I am totally opposed to any legislation of that character. It is an invasion of the rights of the individual, and is not calculated to build up stability of character. It does not teach self-reliance, and the growth of the moral character of the individual must depend on his being fortified through persuasion and example.

8566½a. Taking the cases that come before the criminal courts of the county, can you say how large a proportion of them may be attributed either directly or indirectly to intemperance?—I do not think they are directly traceable to drunkenness. Cases of larceny and others of that stamp would originate in individuals without stimulants or exciting causes.

8567a. How is it with cases of assault?—In a number of cases decided in court there was nothing traceable to the use of liquor at all—in the rural districts.

By Mr. Clarke :

8568a. Did you have any total abstainers before the courts for assaults and crimes against the person?—I think fully as much of one as the other.

8569a. What has been your experience as a public officer with regard to the more serious offences, such as burglary, arson and forgery? Have they been committed by total abstainers or parties who drink?—They have been committed by parties who were either total abstainers or moderate drinkers. They are criminals, apart altogether from drinking habits.

8570a. How about juvenile crime?—That is confined to towns almost exclusively. I suppose there are more in this town than in other parts of the county.

8571a. Have you looked into the causes that prompt juveniles to commit crime? It has been, I think, traceable to parental mis-government—bad example at home.

CHARLES H. MOORE.

8572a. When you say bad example, do you mean the drinking habits of the parents ?
—Yes, intemperance partly, and also idleness on the part of the parents, and neglect of the children.

8573a. Was there any movement made, after the experience this county had of the Dunkin Act, to bring the Scott Act into force ?—Yes, there was. Petitions were got up in different parts of the county, but there was some irregularity about the headings of the petitions, and the whole petition was thrown out when presented.

8574a. Apart from the irregularity you speak of, were the petitions signed sufficiently to justify a vote being taken ?—I understand that they had secured the proper number, but it was contended on the other side that the names had been repeated. But that is a question others can speak more definitely about.

8575a. Would that fact of a large number of names having been obtained to a petition asking for the submission of the Scott Act be indicative of a wish on the part of the people of Grey, notwithstanding their experience of the Dunkin Act, to have another prohibitory law put into operation ?—Well, it is pretty hard to trace what is the cause that induces people to sign petitions so thoughtlessly as they do. They have nothing definite in view : they are prepared to sign anything that is presented, more or less. I judge that the public mind on such matters is rather fickle—no stability about it.

8576a. But after a petition has been signed and a vote has been taken, what value do you place on the vote of a county or a community ?—I do not think public sentiment would enable the authorities to enforce it properly.

8577a. Is there much weight or importance to be attached to these votes as a gauge of public opinion in regard to the enforcement of prohibition ?—I don't think so.

8578a. When the Scott Act was voted on in Bruce, 3,180 voted against it and 4,501 for it, a majority of 1,312 for the Act ; three years afterwards there was a majority of 1,392 in favour of its repeal. In the face of that very large majority in favour of the Act, why was it not enforced ? Were the difficulties in the Act itself ? Could you suggest any amendments that would make it more workable and more desirable ?—It seems to me there was no desire in the public mind to have it enforced. No active steps were taken on the part of any section of the community to see that it was enforced and properly carried out. After the passage of it, the public mind seemed to be altogether passive during the whole time it was in force.

8579a. Was there a cessation of active temperance work after the passage of the Act ?—That was what I judge, because the sale was so open in all public houses ; there was no attempt to conceal it. I saw that myself repeatedly in Bruce.

8580a. How about the working of the license law ?—I think it works satisfactorily, so far as this county is concerned.

8581a. In there much violation of it ?—I cannot say that I have detected any of it myself. But there are other officials whose duty is to look more closely after the enforcement of the Act, and who will be better able to state the actual condition of things.

8582a. Have you any saloons here ?—No, no saloons.

8583a. Would you favour the granting of licenses to saloons ?—No.

8584a. Do you approve of billiard parlours and billiard tables in connection with licensed houses ?—No, I do not.

8585a. Would you separate them from places where liquors are sold ?—Yes.

8586a. Are there any amendments or improvements to the license law that you could suggest in the interest of temperance ?—Nothing I can think of.

8587a. Would you favour a further curtailment of the number of places where liquor is sold or of the hours of sale ?—I think that will govern itself, because if there is an increased temperance sentiment in the community, that will regulate the number of houses.

8588a. The Council have power now to reduce the number by a popular vote ?—Yes.

By Mr. Gigault :

8589a. What is the number of persons at present in the jail ?—Something like ten. They vary from day to day.

8590a. Do you know how many you had in 1875 and 1876?—I could not recall that now.

8591a. Could the jailer give us that information?—Yes.

8592a. Will you be kind enough to ask him to furnish us with a statement covering the period from 1875 till now, of the number of commitments for each year, the crimes for which the prisoners were committed, and the number of prisoners confined at the end of each year?—I will do so.

8593a. Do you know whether from 1875 to the present time the population of this county has increased or decreased?—It increased up to 1889 or 1890, and then after the boom collapsed, there was a diminution in the population.

8594a. Do you know if the population of the county is now less than it was in 1875?—I would not say as to that; but the population has diminished in the county in the last five years.

By Mr. Clarke :

8595a. Do you recollect if business generally was better through the county during the Dunkin Act period?—I think it was somewhat demoralized in a way.

8596a. I speak of business apart altogether from the liquor traffic—dry goods, boots and shoes, groceries, hardware and the like?—I would not like to say as to that. That is a matter a business man could speak of with more certainty.

8597a. I understood you to say there was no effort made on the part of the authorities to enforce the Dunkin Act?—Oh yes, there was an effort made in this county to enforce the Dunkin Act, on the part of certain officials.

8598a. Did the machinery break down? Was there any weak point in the machinery, or what was the trouble?—There was a constant wrangling going on between those engaged in running public houses and the Inspector, and there was a very bad state of feeling created.

8599a. Was this non-enforcement attributed in any degree to the lack of public sentiment?—I think the public sentiment was pretty well divided. Each side had very strong supporters, of course.

8600a. But the law having been voted on and having gone into force, the officials were of course in duty bound to enforce it, no matter what influences were brought to bear against them?—Well, they met with great difficulties in enforcing it.

8601a. Greater difficulties than in enforcing other laws—laws against theft, town by-laws, and so forth.

GEORGE SPENCER, of Owen Sound, Police Magistrate, on being duly sworn, deposed as follows :

By Judge McDonald :

8602a. You reside in Owen Sound?—Yes.

8603a. You are Police Magistrate of the town?—Yes.

8604a. How long have you held that office?—Seventeen years.

8605a. Were you in business of any kind before that?—Yes, I was a Justice of the Peace in the County of Grey for sixteen years before that.

8606a. And you are still a Justice of the Peace?—And still a Justice of the Peace. I have been a Magistrate altogether since 1860, that is thirty-four years.

8607a. Speaking as a citizen, do you find that the license law is fairly well observed in Owen Sound?—Yes, fairly well observed.

8608a. Speaking as a Magistrate, have you many cases brought before you of licensees charged with not observing the provisions of the license law, and of other persons charged with selling without license?—No. Taking population into account, I think we compare favourably with any other town in the Province or the Dominion.

CHARLES H. MOORE.

8609a. What is the character of the population with regard to law and order?—I think we have a very law-abiding population.

8610a. We understand from the Sheriff that you have elements of population that do not exist in other towns?—Yes, we are a seaport town, and have a sea-going population who are restless and unsettled, and yet, even with that, I think we compare favourably with any other place.

8611a. Taking the cases of all kinds that come before you as a Magistrate, do you find that any large proportion is to be attributed to intemperance?—A certain proportion is to be attributed to intemperance, I cannot say what percentage. I suppose 30 or 40 per cent.

8612a. That is to say, I suppose in a great many cases drunkenness is the offence charged?—Yes.

8613a. Taking the other cases, can any large proportion be attributed to intemperance?—Possibly 20 per cent.

8614a. It has been suggested that persons addicted to drink will steal some small article with which to get liquor. Have you cases of that kind here?—Very seldom. Sometimes men will say they were drunk when they committed the crime. My experience is that drunkenness is not often the cause of larceny.

8615a. Take the more serious offences, such as burglary, arson, forgery?—I think drunkenness has very little to do with such cases.

8616a. What about the habits of persons charged with such offences?—They are very various. There are persons highly educated and others all the way down to the very illiterate.

8617a. How about their habits as to drunkenness?—I think drunkenness has very little to do with that class of crime. It seems to me that drunkenness leads to petty infractions of the law.

8618a. Have you noticed what are the principal causes that lead to crime in a community?—There are three or four. Certainly drunkenness is one; revenge is another; greed is another; insanity is another.

8619a. Do you find that idleness has anything to do with it?—Idleness is possibly the primary motive, and then covetousness comes in as a secondary motive. The man is idle and cannot get what he wants without stealing, and then he steals.

8620a. You lived here during the time the Dunkin Act was in force?—I was Police Magistrate at that time.

8621a. How did you find that law observed?—Oh, it was not observed at all, as far as this town was concerned.

8622a. Was there open sale going on?—Almost so.

8623a. Many cases?—Yes.

8624a. More than under the license law?—Yes. It was general demoralization so far as liquor went. I found men sitting in the gutter with bottles of liquor in their possession, and you could not find where they had got them. They got them underground.

8625a. Were persons charged with selling who had previously held licenses?—Oh, yes. It was terrible. Mobs in the streets were not uncommon. I look back almost with horror to the eighteen or twenty months during which that Act was in force here.

8626a. To what do you attribute the repeal of the Act?—Public opinion.

8627a. Did you notice whether in the cases that came before you under that Act there was a great amount of perjury?—Oh, yes, a great deal, indeed.

8628a. More than in other cases?—Oh, yes. It seemed to me that persons who would not tell a falsehood ordinarily, did not think it any harm to perjure themselves in cases under the Dunkin Act.

8629a. Do you find the same state of things in prosecutions under the license law?—Oh, yes, to a certain extent. We do not expect anything but quibbles and evasions in liquor cases.

8630a. Have you had experience of the working of a prohibitory law, elsewhere than in this county?—I have been two or three times in prohibition States, and I have remarked the same thing there. I was down in the State of Maine in 1884, and saw

liquor sold openly there. The shops and bars were quite open, and bottles of whisky and gin were exposed in the windows the same as drugs.

8631a. In what place was that?—Portland.

8632a. Were you in any other place in Maine?—No.

8633a. Were you in any other prohibition State?—I was in Iowa between 1878 and 1884.

8634a. What did you find there?—I found that all you had to do to get liquor, was to go into the cellar.

8635a. What towns were you in, in Iowa?—Cedar Rapids.

8636a. Have you reason to believe that there is much illicit sale going on in Owen Sound at the present time?—No, I do not think there is any illicit sale. There is one man in this town who is suspected of selling on the sly, but I do not suppose that the License Inspector knows that he does. Otherwise I should say there is none.

8637a. Do you think you have too many licensed places in Owen Sound, at the present time?—No, I do not.

8638a. Have you any places called saloons where the accommodations for travellers are not required?—No, there are no saloons in this town.

8639a. As between saloons and hotels, which would you prefer?—The hotel. I would not be in favour of licensing places exclusively for the sale of liquor, at all.

8640a. A great many strong advocates of temperance would prefer the saloon to the hotel bar, for this reason: they say that the saloon being simply a place where men go to get drink, a great many young men who would not go there, go to hotels to see travellers, and being there get into the habit of drinking. Looking at the matter in that way, what would be your opinion?—Such would not be my opinion.

8641a. What do you think of separating billiard halls from places where liquor is sold?—It is something I have not thought of. We have none in this town.

8642a. Do you yourself favour a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—No.

8643a. In case such a law were enacted, would you deem it right that brewers and distillers should be remunerated for plant and machinery that would be rendered useless?—Yes, I think so.

8644a. Is there any other statement that you would like to make yourself?—No.

8645a. Are there any amendments to the license law that you would suggest?—Yes, I would like to see the procedure made simpler, so that a Magistrate would not be bothered with half a dozen different kinds of procedure.

By Mr. Clarke:

8646a. Do you remember by what vote the Dunkin Act was repealed?—No, I cannot recollect.

8647a. Was it a large vote?—I cannot recollect that.

8648a. Did you have any experience of the working of the Scott Act?—None.

8649a. Have you many minors coming before you for offences?—Oh, yes.

8650a. To what do you attribute their presence in the court?—I attribute it to the extraordinarily loose way in which boys in this generation are allowed to grow up.

8651a. Lack of parental authority?—Yes, lack of parental control and all other control almost. Boys do as they like now, and nobody seems to control them.

8652a. To what do you attribute the lack of control on the part of parents?—I don't know to what to attribute it. It has grown up gradually in the last thirty or forty years.

8653a. Family infelicity?—It seems to be universal.

8654a. Drunkenness?—In some cases.

8655a. Do you find any large proportion of the juvenile criminals that come before you to be the children of drunken parents?—Yes, possibly forty per cent. When I am talking of boys, it is for petty trespasses, breaches of by-laws and such things that they are brought up. There are not many cases of larceny brought before me, possibly ten in the year.

GEORGE SPENCER.

8656a. Are these children of drinking parents?—Some of them. Some of them are boys of washerwomen. They will not go to school, and they get pilfering around the wharfs until they are brought before me. The third time they appear before me I send them to the Reformatory or Industrial School.

8657a. Do you approve of the present system of dealing with the people who are brought before you repeatedly for drunkenness committing them to jail for ten, twenty or thirty days?—No, I do not.

8658a. Does it result in any permanent benefit?—It does not.

8659a. What system of dealing with them do you advocate?—I have thought they might be committed for an indefinite term; but if they were, they would not be under the eye of the Magistrate.

8660a. Do you think the establishment of hospitals or sanitariums, where they would be treated would be beneficial?—I would favour that.

8661a. Do you think it would exercise permanently beneficial effect?—I doubt the permanent benefit. I think the proportion of alcoholists who reform is very small.

8662a. You think drunkenness is a disease, then?—Yes, I think drunkenness is really a disease that ought to be called alcoholism, or something like that.

8663a. Do you think the penalties for violation of the license law are sufficiently severe?—I think they are.

8664a. Would you favour imposing severer penalties, such as the withdrawal of the license after the first offence?—No, I would not. For an inn-keeper may, through good nature or compassion, give a person liquor as medicine in prohibited hours, and be fined for it. Under the present law I think a man loses his license after the third conviction. I should not like to make it any severer than that.

By Mr. Gigault :

8665a. Have crimes increased or decreased in this county?—They have decreased on the whole, in proportion to the population. My experience, I may say, goes no further than the town, except by hearsay. The population of this town is now about 7,400; when I first became Police Magistrate it was only 4,000; yet crime has decreased.

By Judge McDonald :

8666a. A Police Magistrate in Eastern Ontario recently suggested to me that one of the causes of the increase of juvenile offences was that children were so much more on the streets now than they were in former times. What is your view as to that?—I think so.

8667a. He further expressed the belief that in the changed habits of the people, the heads of families went out so much in the evenings to meetings of various kinds that to a certain extent home-life was done away, and this led to the children also going out?—That is a subject I had not thought of. I think it is very probable.

8668a. Are you able to say whether there is much poverty in Owen Sound?—I do not think there is so much poverty in Owen Sound as in some places.

8669a. In the discharge of your duties, are you brought into contact with many cases of poverty?—Not very often. I think most people in this town have a way of getting a living.

8670a. And those that you are brought into contact with?—Those that come before me are mostly tramps.

8671a. Are you able to say whether intemperance has to do with the poverty of those people?—I think partly. I will explain what I mean. Most of these tramps that come before me are labouring men who have never been married and settled, but have worked as railway navvies or wharf rats or in the lumber camps all their lives, and wander about from town to town. When they go to work in the woods or on the railway, they get nominally so much a day; but they find at the end of a month that the boarding-house keeper has such a bill against them that they come away with scarcely any money. Then they come to a town like this, and when they get destitute they come to the courts.

8672a. Do you think the closing up of the licensed places would do away with that class of people?—Oh yes. If there were none, they would not get the drink.

8673a. So you think they would be benefited by a prohibitory law?—I do not say that. There might be some other condition arise that would be more intolerable than that.

8674a. If these tramps could not find a place where they could get liquor, they would have to remain sober?—They would.

8675a. In their particular case it would be an advantage?—In their particular case it would be an advantage. But there might be homes where such men would be looked after. In the old country there are ladies that look after them. In my own town, Portsmouth, there was a sailor's home, and savings banks, and everything else.

8676a. Have you noticed, where the liquor traffic is carried on, whether it has any effect on other industrial pursuits in the community?—I have never taken that into consideration.

By Mr. Clarke :

8677a. If all the taverns were closed up, do you think there would be more money to spend on groceries, dry goods and boots and shoes?—No, I do not think so. Yet, there might be, to a certain extent, with a low class of people who, if they could not spend money on liquor, would spend it on necessaries.

8678a. That would be a great improvement?—A great improvement in their particular case.

8679a. Did you notice whether a general improvement in those classes of business followed the enactment of the Dunkin Act?—I cannot recollect that. It was about sixteen years ago that the Dunkin Act was in force. My impression is that about 1875 1876, 1877 or 1878, times were much better in Owen Sound than now; but I do not attribute it to the Dunkin Act or want of the Dunkin Act. Times were certainly better; there was not so much competition in business as there is now.

8680a. Has there been a diminution in the number of wayside inns or taverns, in the county, in those sixteen years?—I don't know. I have not travelled through the county.

8681a. Have you been in Bruce or other counties, when the Scott Act was in force in them?—No.

By Mr. Gigault :

8682a. Did I understand you to say that tramps would be benefited if the licensed places were closed?—Some of them. If a man came down from the lumber bush and in three or four days drank himself into delirium tremens, as one of them did last year, he would be benefited.

8683a. Do you think he would be benefited by prohibition?—A man like that would.

8684a. Do you think that under the Dunkin Act it would have been as easy for these men to obtain liquor as now?—Yes, and much worse liquor.

8685a. How do you say, then, that these men would be benefited by prohibition?—I mean if the law were observed. What I mean is that you may pass a prohibitory act, but you will never stop the sale of liquor without moral suasion; you must educate people up to it. The advance towards temperance has been more or less in the last forty years, and if we continue to improve in the same ratio for forty years longer, scarcely any liquor will be drunk at all.

8686a. But if prohibition would not work better than the Dunkin Act would tramps be benefited?—No, they would not be benefited. Of course, the supposition I spoke on was, that the law would be observed and there would be no liquor. To accomplish that you must enforce the prohibitory law in the whole Dominion, and you would need guards to enforce it.

8687a. Do you think there would be much smuggling of liquor?—Of course there would.

8688a. Would smuggling be easy?—That would depend on the number of officers the Government kept to watch it.

GEORGE SPENCER.

8689a. Do you think that smuggling would be easy in the Georgian Bay?—Very easy.

8690a. Do you think it would require a very large number of officers to prevent smuggling?—Yes, an army.

By Mr. Clarke :

8691a. If we had prohibition of the importation, manufacture and sale for the whole Dominion, would you deprive farmers of the privilege of making cider from their own apples, or wine from their own grapes, for their own use?—If it were possible to imagine such a thing, I would not deprive anybody of the privilege either of brewing or distilling for their own use.

WILLIAM R. ARMSTRONG, of Owen Sound, Clerk of the Peace, on being duly sworn, deposed as follows :—

By Judge McDonald :

8692a. You reside in Owen Sound?—Yes, and have done so for forty years.

8693a. You are a barrister, and hold the positions of County Crown Attorney and Clerk of the Peace for the County of Grey?—Yes.

8694a. How long have you held these official positions?—I have held the position of Clerk of the Peace for nearly four years, and that of County Crown Attorney for a few months.

8695a. As County Crown Attorney it is your duty to prosecute local criminal offences?—It is.

8696a. Have you acted also as Crown Officer?—I have not yet. The Government appointed another. I was not a prominent politician, and was not appointed.

8697a. You act at the County Judge's Criminal Court, at the Sessions, and occasionally at the Police Court?—Yes.

8698a. Taking the cases you have had to deal with, have you found that any large proportion of them are to be attributed to intemperance?—I could not say that. The jailer always takes note of those who are intemperate; I do not.

8699a. I am not speaking of the habits of the people, but as to whether the offences with which you have to deal are to be attributed to any extent to intemperance?—I could not say as to that at all. I have had very few cases to deal with yet; but in those I have had, the men had not the appearance of drinking men, at least very few of them.

8700a. As Clerk of the Peace you receive the records of convictions from Justices of the Peace?—I do, and publish them quarterly.

8701a. Taking those returns and speaking from your recollection, are any large proportion of the offences caused by intemperance, that is, drunkenness or offences arising out of drunkenness?—Occasionally a man will be fined for being drunk and disorderly; but the proportion is certainly small. I could let you have the printed sheets for two or three years back.

8702a. If you will kindly send them by mail to our Secretary, that will do. Is it your duty to attend to the prosecution of cases for the infraction of the license law—for instance, where people are charged with having sold in prohibited hours?—No, I have nothing to do with that. Mr. Spencer attends to it for the town, and any Magistrate has power under the statute.

8703a. As a citizen, had you experience of the working of the Dunkin Act in the County of Grey?—Well, no, I cannot say that I had any particular experience any more than any other citizen.

8704a. As a citizen, did you notice how it was observed?—Well, I am very lame, and very seldom go up town, and I really did not observe what might be going on.

8705a. Did you notice whether there was any great amount of drunkenness to be seen in the community?—From what I have heard of other places, I set down Owen Sound as a very sober place.

8706a. You found it sober during the Dunkin Act period too?—I cannot say as to that point.

8707a. Do you yourself favour the enactment of a prohibitory law for the Dominion, preventing the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I do not favour it. I think it is a right of private judgment, as to which no man has a right to interfere with another.

8708a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery that would be rendered useless?—I should say so, decidedly.

8709a. Is there any suggestion or statement you would like to make yourself?—I would suggest this, that those who are favourable to doing away with the amount of revenue that is now derived from the sale of liquors should consent to be taxed themselves to make up the deficiency.

By Mr. Gigault :

8710a. Do you know if, since 1875, the population of this county has increased or decreased?—The County Clerk will be able to tell you as to that, no doubt; but for my part, I do not recollect what the census was previous to that time, and what it is now. I know that a great number have gone off from the county to Manitoba and the Northwest.

JAMES McLAUGHLIN, of Owen Sound, President of the Board of Trade, on being duly sworn, deposed as follows :—

By Judge McDonald :

8711a. Where do you reside?—In Owen Sound.

8712a. You are President of the Board of Trade?—Yes.

8713a. What is your business or occupation?—Confectioner and biscuit manufacturer.

8714a. How long have you resided in Owen Sound?—Thirty-three years.

8715a. During that time you have been engaged in business?—Yes, steadily in this place.

8716a. During the time you have lived in Owen Sound have you found the industries of the place steadily maintained?—Steadily increasing.

8717a. We understand there has recently been a change in the ship-building industry?—That was of short duration to us.

8718a. The other industries have kept up?—Yes, and have been improving.

8719a. Do you find that the shipping trade is increasing here?—Yes, very rapidly.

8720a. Have you observed, as a citizen, whether the provisions of the license law are fairly well carried out here; that is, as to closing on Saturday night and Sunday?—As far as I am able to ascertain, they are well carried out. On Sundays, I never happen to have any business around a hotel, and so I am not sure as to that.

8721a. Is the town on Sunday quiet and orderly?—Yes.

8722a. Have you found during your residence in Owen Sound that there has been a growth of temperance sentiment and habit in the community?—I think morally there is a better sentiment.

8723a. Do you find that the various religious communities and temperance societies have been working effectively to that end?—Yes.

8724a. Have you noticed whether the liquor traffic as carried on in this community has any effect upon the other business interests of the town, whether detrimentally or

WILLIAM R. ARMSTRONG.

beneficially?—I do not think that at present it is detrimental to any other business in town.

8725a. You resided here when the Dunkin Act was in force?—I did.

8726a. What was your experience of it?—It was a very bad one indeed.

8727a. What were the difficulties?—The law was not carried out. Every person seemed to take delight in using ardent spirits; they avoided drinking the lighter drinks. They seemed to take perfect delight in violating the law. Men who at other times would be ashamed to be seen the worse of liquor rather gloried, at that time, in being seen the worse of liquor.

8728a. Had you reason to believe that many people were engaged in the sale of liquor in those days?—All the places that had been used as licensed hotels were, and numerous other places besides. It was kept behind soda biscuit boxes, and under counters in stores. In almost every store that kept groceries, you could get liquor.

8729a. Was drunkenness to be seen in the streets during that time?—Oh, yes, too much of it.

8730a. To what do you attribute the repeal of the law?—I think to general disgust. People got it into their heads that the law was a failure. A great many men who had voted for the Act were the first violators of it, encouraging the sale of liquor without a license.

8731a. Have you much poverty in this community?—No, I think we are pretty well clear of it.

8732a. Have you, as a business man, noticed whether the poverty that exists in the community may be in any degree attributed to intemperance?—No, I think the most of it is to be attributed to idleness.

8733a. How is it in your own business?—Our men are very comfortable and very steady. We have not an ardent spirit-drinker in the shop.

8734a. Have you any rule regarding drinking men?—If we find a man who shows the effects of liquor, that is the last he is there.

8735a. Do you require your men to be total abstainers?—No, but they must be temperate.

8736a. Is there any statement you would like to make yourself on this subject?—Not any.

8737a. Are there any amendments to the license law that you would suggest?—No. I have not given the License Act any attention.

8738a. In case either the saloon or the hotel license had to be dispensed with, which would you deem it better should be retained?—I would retain the hotels by all means.

8739a. Do you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—If you could do away with intoxicating liquors altogether, it would be all right; but I would not like a repetition of the Dunkin Act, if you call that a prohibitory law.

8740a. Would you favour a prohibitory law for the whole Dominion?—Yes, if it were properly carried out. I do not think that Britons, as a rule, like to be interfered with in having what they like, and it is likely that many small private stills, such as they have in Scotland, would be used, and the Dominion would get no revenue from them.

8741a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery that would be rendered useless?—Yes.

8742a. In case of the enactment of such a law, would you make it go so far as to prevent farmers making wine from their grapes, and cider from their apples, for their own use?—No, I would give the farmer full liberty. He is so poor now that he wants everything he can get to help him along.

8743a. Would you under such a law allow the private citizen to import, from the United States or elsewhere, liquor for his own use in his own house?—It would be pretty difficult to answer. That private house might become a public house.

8744a. If the farmer may make his own wine or cider, or have his private still, why should the other citizen who happens to live in a town or city be put upon a different basis?—Have you considered whether that would be a practical difficulty in the way of the enforcement of the law?—I think it would.

By Mr. Gigault :

8745a. Under the Dunkin Act, were the Sundays more orderly than they are now?—No.

8746a. Was there more disorder on Sundays?—Yes.

8747a. More drunkenness?—Yes.

8748a. If we had prohibition, do you think smuggling would be carried on very extensively?—I think it would. I think illicit stills would become very numerous in this section of the country.

By Mr. Clarke :

8749a. Would that be a better state of things, than a license law, rigidly enforced and properly observed, would be?—I would prefer the license law.

8750a. Of course, probably the difficulties of enforcing a national prohibitory law would not be as great as the difficulties of enforcing the Dunkin Act, because under the Dunkin Act liquors were sold in the counties about you, whereas under national prohibition all such sales would be prohibited?—Unless the people themselves turn out and help to carry the law, there is no use of the Legislature enacting it. Unless the people themselves help to carry out the laws, it is no matter how vigilant the officers are.

8751a. How can you account for it that after the law is carried, there is no attempt on the part of those who aided in carrying it to enforce it?—The feeling in this county was that we had never had this Temperance Act in force here, and if it was going to do any good, it was worth trying, and if we found that it did no good, we could repeal it. That is how we had the large majority for the Act in this county, and you can see how soon the people repealed it. The hotels were closed to the farmers in the rural villages : they could not get shed accommodation for their horses. A man could not afford to keep a warm room for them and sheds for their horses. They were the sufferers. The people of Owen Sound suffered, too, because the farmers would not come here : they found that the houses were not as well kept as formerly ; there were more noises in the houses. There were a hundred and one things they had to complain of.

8752a. If there was free sale during the Dunkin Act period, the hotel-keepers did not have to pay any license fee, and they must have been making money. Why, then, could they not afford to give the farmers the same accommodation?—They did not seem to take the same interest in it.

8753a. Was the vote on the repeal of the Dunkin Act in this county an indication that the people of this county did not want prohibition, or that they were unfavourable to that law?—I could not say on which side they looked at it ; but my impression was that they were in favour of going back to the old state of things, with a good license law properly administered and carried out, which I think we now have.

8754a. Would you favour a further diminution in the number of licensed places in Owen Sound?—I would not.

8755a. You think there are not too many here now to give the necessary accommodation to the people who come to do business in the town?—I think not.

8756a. I suppose you would not favour the licensing of drinking places pure and simple—saloons?—No, I would not.

8757a. Or the licensing of billiard parlours in connection with saloons?—No. I would be in favour of doing away with billiard parlours altogether, both in connection with hotels and by themselves.

8758a. Do you know of any country where the importation, manufacture and sale of liquors are prohibited?—I have not been in any of late.

8759a. Had you any experience of the Scott Act?—I had not.

8760a. Did you travel through Bruce or Simcoe?—I did, through Bruce.

JAMES McLAUGHLIN.

8761a. What was your experience there?—When we had the Dunkin Act a great many of our people spent their Sundays in Bruce. When our people got clear of it, and Bruce got the Scott Act, people would come ten or fifteen or twenty miles from Bruce into Grey, to get on a spree.

By Judge McDonald:

8762a. What seems extraordinary is that, with open sale in Bruce, people would need to come to Grey to get liquor?—They wanted to have a good time.

8763a. They could do it at home?—They did not feel at liberty to do it.

8764a. So there was a certain amount of restriction at home?—Yes, there was.

8765a. It is one of the things that puzzles one—that if liquor was so easy to be obtained in a community, people in that community should go a distance into a licensed section to get their liquor?—Well, the liquor was not so good in the places where the Act was in force. I have left Southampton after I had my tea, and on the road I have passed men driving to Southampton and Port Elgin with five and ten-gallon kegs in their buggies, who had been to Owen Sound to purchase it; and these men, to make it pay, had to doctor it.

8766a. Those men were illicit dealers?—Yes, they were selling in a community where the law was opposed to the sale. So you can see that a man who hauled ten gallons of whisky twenty miles could not afford, with the risk he was running, to sell it at the same price as in other districts; so he would doctor it.

By Mr. Clarke:

8767a. Would you favour a rigid inspection of liquors?—I would. I notice that at the hotels here that keep the best liquor you see the least number of intoxicated persons about, and there are no fights. Where the liquors are pure, people who drink them seem to go out and go about their business without any bad effects.

S. J. PARKER, of Owen Sound, on being duly sworn, deposed as follows:—

By Judge McDonald:

8768a. You reside in Owen Sound?—Yes.

8769a. What is your official position?—Treasurer of the County of Grey.

8770a. How long have you held that position?—Twenty years.

8771a. You have been engaged in business here?—Yes, before that time I was engaged in the drug business.

8772a. Were you President of the Board of Trade at any time?—Yes, for some ten or twelve years.

8773a. At the time the Dunkin Act was in force, were you residing here?—Yes, I was in the treasury office at that time.

8774a. As a citizen, you had an opportunity of observing the working of that law?—I had.

8775a. How did you find it carried out?—It was not carried out at all.

8776a. What were the difficulties?—The difficulty seemed to be that it was not in exact accord with the wishes of the people: it did not seem to be carried out, and there seemed to be promiscuous drinking everywhere. People who formerly would probably take only a glass of beer would be found carrying about little flasks. There was more drinking in that way. More ardent spirits were consumed, because people would get it in concentrated form and carry it about.

8777a. Was drunkenness seen on the streets?—Yes, and sometimes about the hotels.

8778a. Were more people engaged in the traffic at that time?—Yes, I think probably more than when they were licensed.

8779a. To what do you attribute the repeal of the Dunkin Act?—To the revulsion of feeling—to the feeling that it was not a success, and that a license law such as could be carried out, was better than the Dunkin Act.

8780a. How do you find the license law carried out in this community?—I find it carried out very well.

8781a. Do you think that you have too many licensed places in Owen Sound?—No, I do not know that we have.

8782a. In case it were proposed to do away with either the hotel license or the saloon license, which do you think it would be better to dispense with?—Dispense with saloon licenses most decidedly, because it is in the saloons that the system of drinking and treating is carried on more than in the hotels.

8783a. Have you had any experience of the working of a prohibitory law other than the Dunkin Act?—No.

8784a. Were you in any of the Scott Act counties during the time of that Act?—No.

8785a. Would you favour the enactment of a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I would not.

8786a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless? Most decidedly.

8787a. Would you favour, under the license system, a more rigid and frequent inspection of the liquor sold in licensed houses?—Yes; I think that would probably have a beneficial effect, though under the present excise law which requires liquors to be kept a certain number of years in bond, there is not the same danger that there was in former years.

8788a. Is there any further statement you would like to make on this subject?—No, only this, that in saying that I am decidedly opposed to a prohibitory law being enacted for the entire country, my opinion is that in the present state of public opinion it cannot be carried out. My idea is that in order to carry out the law, you would have to have a fair majority of the people with you in the enforcement of it, and I do not think that at the present time you would have it.

8789a. Do you mean to say that the mere fact of a majority voting in favour of such a law does not imply that it would be carried out?—Yes; I do not think that it would be sufficient to carry it out.

8790a. Why do they vote for it?—Probably, as one of the witnesses said, to see what effect it would have.

By Mr. Gigault :

8791a. Do you know whether this town has increased in population?—It has increased.

8792a. Was this town more orderly under the Dunkin Act than it is now?—I don't think it was.

8793a. Was there more drinking?—Yes; I think there was. In fact, I am sure there was.

By Judge McDonald :

8794a. What disposition was made of the fines collected for violations of the Dunkin Act?—They became county funds. There was a certain amount of expense in connection with the voting borne by the County of Grey, in all \$1,764. Our receipts from fines were \$520, leaving about \$1,200 paid over and above what we received. Out of that \$520, \$480 was received from Mr. Spencer, Police Magistrate, of Owen Sound, and only \$40 from other parts of the county.

8795a. How long was the Dunkin Act in force?—Three years. Of the \$40, \$20 was received from the Township of Artemesia, and \$20 from the township of Collingwood.

8796a. So that throughout the larger part of the county there was, practically, free sale?—Yes. I think the fines were not imposed in the other parts of the county.

8797a. Do you know whether, outside of the town of Owen Sound and those two townships, the majority in the county voted to maintain the Act?—I could not say without looking at the returns.

S. J. PARKER.

JOHN McCauley, of Owen Sound, Chief of Police, being duly sworn, deposed as follows :—

By Judge McDonald :

8798a. Do you reside in Owen Sound?—Yes.

8799a. How long have you resided there?—Six years last May.

8800a. You are Chief of Police?—Yes; for the last four years.

8801a. Where did you reside before you came to Owen Sound?—In the township of Holland, in this county.

8802a. Did you reside there when the Dunkin Act was in force?—I did.

8803a. How was the Dunkin Act carried out in this county?—I could not say. The trade I followed at that time was principally among the farmers, and I know very little about it.

8804a. How was it in the township of Holland?—I think some of the hotels were closed up there altogether.

8805a. Do you think, from your own observation, that liquor was sold at all in the township?—I think it was.

8806a. By what class of people?—By the hotel-keepers.

8807a. Some that had formerly been licensed hotels still kept on their business?—Yes; in a quiet way.

8808a. And some of the hotels were closed up?—Yes; some of them.

8809a. Why were they closed up?—I do not think they were patronized by the people, and the parties were afraid of being prosecuted for selling illegally.

8810a. Did those hotels depend upon the sale of liquor to keep open?—Principally.

8811a. Was the entertainment of travellers not sufficient to sustain them?—I think that was the idea. Just at that time the railway passed through, and a great many hotels that had been started when the work was going on, were afterwards closed up. They were very weak anyway.

8812a. Would that account for the closing up of the hotels—the changed condition consequent on the construction of the railway?—They were still open during the time of the Dunkin Act, but one was closed to my knowledge on account of the operation of the Dunkin Act.

8813a. While the Dunkin Act was in force, did you notice whether drunkenness prevailed in the community to the same extent that it did before?—It did not in that locality.

8814a. It had a beneficial effect in that locality, then?—It had.

8815a. What kind of a community was it—a temperate people, or had drunkenness prevailed much?—There was a good deal of drinking going on.

8816a. And you noticed an improvement in that respect?—Yes. Almost every one voted for the Dunkin Act.

8817a. How did that township vote on the question of repeal?—I could not say.

8818a. How do you account for the Act having been repealed in the county?—I could not say. I was not interested a great deal at that time. I did not drink myself, and did not take much stock in it.

8819a. Did you vote for the Act?—I did.

8820a. Did you vote against its repeal?—I did not. I did not vote at all.

8821a. When you noticed that the Act had been such a benefit to the community, why didn't you do all you could to maintain the Act in force?—I was a young man at the time, trying to do the best I could for myself, and I would not lose the time. I was urged by different parties to go to the poll, and I would not go. I had men working for me, and if I left, those men would be of little or no use.

8822a. Had you experience of the working of the Dunkin Act in any other township than the Township of Holland?—No.

8823a. Did you live in a village at that time?—No, I lived on a farm.

8824a. As Chief of Police of Owen Sound, it is your duty to look after the good order of the community?—Yes.

8825a. How do you find Owen Sound with regard to the law-abiding character of the people?—I find the people very law-abiding generally. We have a floating class, such as timber men and sailors, and we have a little trouble with them.

8826a. Taking into account the habits of that class of people, do you have much trouble with them?—Not in the last two or three years. At the time of my coming here, six years ago, we had a great deal more trouble.

8827a. Do you find that the temperance sentiment and the temperance habit has been growing in the community from year to year?—Yes, and growing fast.

8828a. You find that the different religious bodies and the temperance societies have been working beneficially in that direction?—Yes.

8829a. How large a force have you in Owen Sound?—Just myself and two men.

8830a. Do you find that sufficient for the town?—We work from twelve to sixteen hours a day.

8831a. Still you are able with the force to preserve order?—Yes.

8832a. Do you now have many cases of drunkenness in the town?—Very few at the present time. I have a list of the drunks for the last six years. You asked me for the number of arrests, that I cannot give you.

8833a. If a man is under the influence of liquor and going quietly home, do you arrest him?—No; we allow him to go if he is capable of walking.

8834a. Will you read your statement?—The number of arrests for drunkenness in the past six years, with the number charged also with disorderly conduct, was as follows:—

	Arrests for drunkenness.	Charged with disorderly conduct.
1888	181	0
1889	134	19
1890	68	9
1891	54	9
1892	40	10
1893	27	4

The arrests for vagrancy were: in 1888, 91; in 1889, 75; in 1890, 65; in 1891, 79; in 1892, 88; and in 1893 to the present date, 49. The arrests for larceny were: in 1888, 29; in 1889, 16; in 1890, 21; in 1891, 20; in 1892, 29; and in 1893 to the present date, 15. I have also the total number of cases of all kinds for each year, including summons cases of all kinds.

8835a. Does that include all offences against town by-laws, such as not cleaning snow off the sidewalk?—Yes, all these. In 1888, the number was 445; in 1889, 354; in 1890, 380; in 1891, 285; in 1892, 330; and in 1893, 205.

8836a. Have you much poverty in the town?—In performing our duties we are brought into connection with all the poverty, that is, parties calling for assistance from the town. It appears to me that we have a good deal more than when I took this office.

8837a. You had lived in a rural district before?—Yes.

8838a. Did you live in other towns?—Yes; I followed plastering in other towns.

8839a. In other towns did your duty call you into connection with the poverty?—No. I think the citizens of the town do not know the amount of poverty there is.

8840a. You find a good deal?—Yes, a good deal.

8841a. Do you find that much of that poverty is due to intemperance?—Intemperance and idleness, most of it—in fact, all.

8842a. Speaking from your experience, would you say that the intemperance may be attributed to idleness, or the idleness to the intemperance?—I would not say. They seem to go hand in hand here. The idle man is generally a drinker.

8843a. Is there much trouble here with cases of wife-beating or assault?—Frequently we have those cases.

8844a. Do you find that most of those cases are attributable to intemperance?—Most of them are caused by drink.

8845a. Have you much juvenile crime here?—We have some, but not much.

JOHN McCAULEY.

8846a. To what do you attribute most of the cases of juvenile offences?—The most of those are children of widow women who are out working, and they cannot control the children when they are away, and the children are not at school.

8847a. Taking the various offences for which people are arrested, do you find any large proportion of them attributable to drunkenness?—Yes. I think the majority of them are.

8848a. Putting aside the arrests for drunkenness and drunkenness and disorderly conduct, and taking the balance of the cases, is any large proportion of them attributable to drunkenness?—Most of the disorderly conduct is from the effects of drink. The parties may not be drunk, but it is caused by drunkenness.

8849a. Have you reason to believe that the provisions of the license law are well observed in Owen Sound by the people in the trade?—I think they are.

8850a. Have you reason to believe there is any amount of sale on Saturday night or Sunday or after prohibited hours on week days?—That is something I could not say.

8851a. Are you not required to look after those cases?—That is left in the hands of the License Inspector. Of course, if we have reason to go into a hotel on Saturday night or Sunday, everything is quiet while we are there.

8852a. Are you required to aid the Inspector?—Only when called on.

8853a. When you see violations of the law, do you not take notice of them?—The bars are situated in such a place that you cannot see them from the street.

8854a. Would you favour an amendment of the law that would require the bars to face the street?—I think it would be a good idea, and compel them to keep the blinds up at the same time.

8855a. In case the saloon license or the hotel license had to be dispensed with, which would you abolish?—The saloon.

8856a. Have you any billiard halls here?—We have one.

8857a. Do you think that billiard halls should be kept away from places where liquors are sold?—The one we have here is not in a hotel, but the further away they are from hotels I think the better.

8858a. Do you favour the enactment of a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I do.

8859a. In case of the enactment of such a law, would you except from its provisions liquors required for medicinal, mechanical and sacramental purposes?—That is something I have not thought of. In saying I would be in favour of prohibition, I would be in favour of it if the Government would appoint officers to enforce it. But from the reports I received of the Dunkin Act—I had very little experience of it myself—I think we are better under the License Inspector, unless the law were carried out by the appointment of special officers.

8860a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Yes, I think they ought to be.

8861a. Had you reason to believe there was any sale of liquor at all in the township of Holland while the Dunkin Act was in force?—Oh, yes, there was lots of it.

8862a. The County Treasurer gave us the names of the townships from which fines for violations of the Dunkin Act were returned, and Holland was not one of them. How do you account for there being no convictions in that township if there were sales?—That I could not tell.

8863a. Is there any further statement you would like to make?—No.

By Mr. Clarke :

8864a. I understand you to say that you would favour the enactment of a prohibitory law if it could be enforced?—If there were officers specially appointed to enforce it. It would take a great many officers to watch every person, because I think almost every person who had been selling under license would try to sell.

8865a. What is the effect on a community of having a law on the Statute-book that is persistently violated?—It would take a much larger number of officers to enforce the law than at the present time.

8866a. What is the effect on the community of having an Act like the Dunkin Act supposed to be in force and ignored all the time. Is that good or bad?—Well, I think the majority of the people in the country thought the Dunkin Act was all right.

8867a. Can you give any reason why they did not maintain it?—I think it was the towns and villages that gave the majority for the repeal.

8868a. Can you give us any idea where we could get the details of the vote?—No.

8869a. I suppose you have in Owen Sound cases of men who are repeatedly brought before the Police Court for drunkenness?—Yes.

8870a. Is the present method of dealing with them efficacious, that is, committing them to jail for twenty, thirty or sixty days?—Some men, high-spirited men, it will do good for the time. Other men who have got down and who have no respect for themselves, they go right on the same as usual.

8871a. No practical benefit results from treating them in that way beyond putting them in jail and sobering them up?—Sobering them up, that is all it does.

8872a. If hospitals or sanitariums were established, where these men would be placed and made to work, and treated specially for alcoholism, do you think that would be of benefit to them, their families and the community?—That is something I could not say.

8873a. Did you work or reside in any county where the Scott Act was in force?—No. I know nothing at all about the workings of the Scott Act.

8874a. Did you ever work in any city where there was prohibition?—No.

8875a. Your experience, then, of a prohibitory law has been confined to the Dunkin Act?—Yes, and I know but very little about that.

By Mr. Gigault :

8876a. Have you any official report or books by which we could ascertain the number of arrests for drunkenness in 1875 or 1876, when the Dunkin Act was in force?—I think you could find it from the police record.

8877a. Could you get that information for us this afternoon?—It would take a good deal of time to get the number of arrests for drunkenness by themselves. It would be necessary to run over all the cases and pick them out from the rest.

WILLIAM BISHOP, of Owen Sound, Clerk of Police Court, on being duly sworn, deposed as follows :—

By Judge McDonald :

8878a. You reside in Owen Sound?—Yes.

8879a. How long have you lived here?—Thirty-five years—all my life.

8880a. You are Clerk of the Police Court?—Yes.

8881a. What other position do you occupy?—I am a barrister; I have been practising here for the past twelve or thirteen years.

8882a. Do you remember when the Dunkin Act was in force in this county?—I do.

8883a. What was your experience of it?—I was quite young, and have only a few impressions of it; but the general impression I have is that it was very unsatisfactory.

8884a. In what way?—There was a great deal of difficulty in enforcing it. The Crown Attorney used to carry a revolver, and the License Inspector armed himself similarly to protect himself from riots and assaults.

8885a. Was there much illicit sale?—I think so.

8886a. Do you remember whether some were selling besides those who had previously held licenses?—I think there were.

8887a. Did you ever notice drunkenness on the streets during that time?—I cannot recollect.

JOHN McCauley.

8888*a*. How do you account for the repeal?—I think it was because public sentiment did not support it. We have one township in this county in which the Dunkin Act is in force yet.

8889*a*. What township is that?—Sarawak. The circumstances of that township are peculiar. It is nine miles long and three concessions wide, and extends along the bay; and I suppose there is no call for repeal in the township. The success of the Act would depend on the circumstances of each locality; it might work well in a township of that kind and not in towns or villages.

8890*a*. As clerk of the Police Court, have you made up any statement of the cases before that court?—I have a memorandum of the total number of convictions for all offences, and the number for drunkenness, and drunkenness and disorderly conduct for each year from 1888. The cases of drunkenness and drunk and disorderly go together. Disorderly conduct is included in another class of cases, such as the infraction of a town by-law. Frequently boys are brought up for disorderly conduct on the street, so that disorderly conduct cases have no necessary connection with the liquor traffic. The convictions for each year were:—

	Total Convictions.	Drunk and Disorderly.
1888	211	54
1889	135	31
1890	104	18
1891	108	9
1892	129	13
1893 (to date).....	79	7

8891*a*. Is that for the town of Owen Sound?—Yes. We have nothing to do with anything outside.

8892*a*. Have you had many cases during those years of persons convicted of violations of the license law, such as selling on Saturday night or Sunday, or during other prohibited hours, selling to intoxicated persons, to minors or to Indians?—Not very many cases of selling to Indians. I do not know of any of selling to minors. I have only been Police Clerk for three years, and I do not recollect any during my time. For the other offences there is an occasional case—not very frequently.

8893*a*. Do you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—That depends upon circumstances. If the Act were such as to dispense with liquor, and could be enforced, I think a great deal of good might be the result of it. But from the way I view it, I do not think it would be possible to operate such a law successfully.

8894*a*. Why?—Supposing the majority on a vote were in favour of a prohibitory law, the minority would be so large that the enforcement of it would I think be practically impossible.

8895*a*. In case of the enactment of such a law for the Dominion, suppose two or three Provinces were strongly in favour of it and one or two strongly against it, could you hope for its successful enforcement throughout the country, as a whole?—I think not. I should be opposed to a Provincial prohibitory law on that ground. The intercourse between the Provinces would be too ready.

8896*a*. Take the positions of the Provinces on the seacoast?—The same objection would lie there, unless there was a prohibitory law in the United States at the same time.

8897*a*. And would that not extend until there would have to be universal prohibition?—Not to the same extent. To a certain extent it might.

8898*a*. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think it follows that compensation should be allowed. The enactment of such a law would be on the ground of the public good, and if so, the public should grant compensation.

8899a. In case of the enactment of such a law, would you favour the exception from its provisions of liquors required for medicinal, mechanical and sacramental purposes?—No. If there is a prohibitory law, and you make any exceptions of that kind, you would make the enforcement of it virtually impossible.

By Mr. Clarke :

8900a. Would you allow farmers to make wine out of their grapes, and cider out of their apples, for their own use?—No; but you could not prohibit them.

8901a. What about their making beer and whisky in the same way?—I think that would be the result of a prohibitory law.

8902a. In looking over these returns, I find that in 1888 and 1889 about twenty-five per cent of the total number of convictions were for drunkenness, and drunk and disorderly; in 1890 there was about one-sixth of the total number, in 1891 one-twelfth, in 1892 one-tenth, and in 1893 one-eleventh. Were there any special conditions in 1888 and 1889?—Yes. I think that was the time the Polson Works were here, when there were more of that class of cases.

8903a. Were they men who had come in to work in those works?—Yes.

8904a. And I suppose you might say the number for 1890 was about normal?—Yes. There were a good many vagrancy cases, and a great many repeaters in them. Men would come up repeatedly and be sent down at their own request, and people without means would sometimes apply to the police for shelter, and be taken in and discharged the next morning.

8905a. It is safe to assume, then, that about one-tenth of the convictions are for drunkenness, or drunkenness and disorderly conduct?—That is the record.

8906a. Do you approve of the treatment now accorded to chronic drunks of committing them to jail for twenty or thirty or sixty days?—Our Magistrate has not been in the habit of administering that kind of treatment, because it is really of very little use except to straighten them up, and it answers the same purpose to remand them for two or three days. I really think it is of very little use, to habitual drunkards, to send them down for ten or twenty days. I think we cannot send them for more than twenty-one days.

8907a. What would you do with them?—I think your suggestion is a very good one—to treat it as a disease.

8908a. To what do you attribute the cases of juvenile offenders?—To lack of parental control. A great many of them are children of charwomen.

8909a. What proportion are children of drunken parents?—I cannot say as to that. The Chief of Police is better informed as to that, I think. The time the Dunkin Act was in force, was from May, 1877, to May, 1879. The Sheriff spoke of the years 1875 and 1876.

By Mr. Gigault :

8910a. Could you give us any information as to the number of arrests for drunkenness while the Dunkin Act was in force?—No, I could not. The books were then kept in a different shape from what they are now. They were kept as ordinary minutes, so that to find the number it would be necessary, in addition to looking up the books for that period, to go through all the cases to find out what each case was.

By Judge McDonald :

8911a. Is there any statement you would like to make yourself?—No.

ROBERT BRECKENRIDGE, of Owen Sound, on being duly sworn, deposed as follows :—

By Judge McDonald :

8912a. Where do you reside ?—In Owen Sound.

8913a. How long have you lived here ?—Twenty-five years.

8914a. What is your occupation or calling ?—I am in the furniture business, and am an undertaker.

8915a. Do you remember when the Dunkin Act was in force in this county ?—I do.

8916a. How did you find it carried out ?—Poorly.

8917a. To what did you attribute that ?—To the want of somebody to turn the crank, I suppose, and make the machinery go.

8918a. Did there seem to be much drunkenness ?—Yes.

8919a. Much sale of liquor ?—You could hardly say it was the sale of liquor ; it was the sale of something else with liquor in it. Still, there was liquor sold.

8920a. Did you vote for the law ?—I did not.

8921a. Did you vote for its repeal ?—I would not be sure.

8922a. We understand that you are an employer of labour ?—I employ a good many men.

8923a. Have you found in your business any injury caused through the intemperate habits of workmen ?—I have, occasionally. I think that out of perhaps twenty men I have had two who were that way inclined, who were an injury to me and themselves both.

8924a. Have you had men in your employment who, owing to their intemperance, interfered with the work of other men whose work was dependent upon theirs ?—Yes. For instance, where one man runs a machine, and another man's work depends upon that machine, of course one man's work may affect another's.

8925a. Have you any rule as to the habits of the men you employ, as to temperance ?—No.

8926a. Do you require your men to be total abstainers ?—No, I would not bind a man. I would not want to muzzle any man's mouth.

8927a. Do you require that he shall conduct himself properly ?—I do.

8928a. Do you notice among the families of the men you employ whether much distress or poverty has been caused by intemperance ?—I have not known it personally. I have heard of it.

8929a. Have you had yourself experience of the working of any other prohibitory law than the Dunkin Act ?—Yes, in the State of Maine.

8930a. When ?—I was taking a summer tour through the State of Maine, and I stopped at Portland. That would be nine years ago.

8931a. How did you find things there ?—I found things very poorly conducted with regard to the sale of liquor. It was as open there as it is here under license law.

8932a. Have you been in any other prohibitory country or state ?—No. When I say as open there as here, there was a screen perhaps where they had the bar-rooms. The bar-rooms there are just the same as they are here ; but on going into them you first enter an empty room in which there is wooden partition, and when you pass through the door in that partition you enter the bar-room which is just the same as we have here.

8933a. Have you noticed as a business man whether the liquor traffic as carried on has an effect prejudicial or beneficial on the other business interests of the place ?—I have not seen that it had any injury. The license law—

8934a. How do you find the license law carried out there ?—Very well just now.

8935a. Have you an efficient Inspector ?—Yes.

8936a. Have you reason to believe that the Saturday night and the Sunday closing law is well observed ?—So far as the Inspector is concerned, he is very efficient in that way, because our Sundays, I think, are very quiet.

8937a. Was the Sunday as quiet under the Dunkin Act as it is now ?—No, it was not.

8938a. Was the Sunday as quiet during the time of the Dunkin Act as it had been during the two years before and the two years after it was in force?—I do not know as I could say much about the two years previous; but in the two years after the Dunkin Act it was much quieter.

8939a. Have you reason to believe that the Dunkin Act produced that beneficial change?—Yes. The Dunkin Act was the means of causing disturbance on Sundays.

8940a. Have you reason to believe the Dunkin Act has the credit of the quieter Sundays after it was repealed?—Yes. The change was very noticeable.

8941a. So you think the Dunkin Act had a good effect?—It had that good effect. The repeal of the Dunkin Act showed the improvement.

By Mr. Clarke :

8942a. It was the repeal that showed the improvement?—It was not the Dunkin Act that produced the good effect; it was the repeal of the Dunkin Act. The Dunkin Act caused the disturbance.

8943a. Do you yourself favour the enactment of a prohibitory law for the whole of Canada, prohibiting the importation, manufacture and sale of all intoxicating liquors for beverage purposes?—No.

8944a. In case such a law were passed, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I do not know that they should be remunerated to the full extent.

8945a. What I said was for plant and machinery rendered useless?—They ought to be remunerated for what they had spent.

By Mr. Clarke :

8946a. Making the comparison of Portland under the Maine Law and Owen Sound under the Dunkin Act, with Owen Sound under the license law as we have it now, which would you prefer?—Oh, I would prefer the license law.

8947a. Why?—Things work better. Everything moves on satisfactorily—better behaviour everywhere.

8948a. Is not the legalizing of the traffic at all injurious? Would it not be better to have people sell liquor illicitly, as here under the Dunkin Act and as in Portland, than to have the trade legalized?—I would rather see the license sufficient to make every house a respectable house, and if a house is not respectable, take the license away from it.

8949a. Then you prefer the present system to any prohibitive system that you have seen?—I prefer the present system because I cannot see how this frontier could be guarded against smuggling.

8950a. Suppose we had a prohibitory law, would you think it right under it to permit farmers to make cider and wine and beer for their own use?—So far as I am concerned, I would not have any objection to a farmer making his own cider.

8951a. And his own beer and grape wine?—With regard to beer, that goes too far. But as for cider, or fermented apple juice you may call it, I would not prevent the farmer making that.

8952a. But you would prevent him making beer and whisky, if he wanted it for his own use?—I would prevent that.

8953a. In case of prohibition, would you permit citizens to import liquor for their own use?—Yes. I would not like to do with another what I would not do with myself. I would not like to be prevented getting mine, and I would not like to see any one else prevented.

By Judge McDonald :

8954a. Is there any further statement you would like to make?—Nothing further.

CHARLES C. PEARCE, of Owen Sound, License Inspector, on being duly sworn, deposed as follows:—

By Judge McDonald :

8955a. Where do you reside?—In Owen Sound.

8956a. How long have you resided here?—Twenty-one or two years.

8957a. You are the License Inspector for this electoral district?—Yes.

8958a. How long have you held that position?—Seventeen years.

8959a. Did you hold that position during the time the Dunkin Act was in force?—Yes.

8960a. Going back to that period, how did you find that Act to succeed?—During the first portion of the time it was in force it did not succeed very well, but towards the latter part of it, just before the repeal, it was getting so that we could enforce it. We were getting the hotel-keepers out of the business and getting them and the bar-tenders in jail. If it had been left in force another year I think it would have been in force to this day.

5961a. Has any demand been made to bring it into force again?—No. There is one township where it has been in force ever since.

5962a. As Inspector had you to do with the hotels?—The bar-rooms were closed up, and some of the hotel-keepers were in jail.

8963a. How many?—I think two hotel-keepers and one bar-tender were in jail.

8964a. That was for this electoral district, North Grey?—Yes, eight townships.

8965a. Was sale going on during the latter part of the Dunkin Act period?—There was some going on.

8966a. Was drunkenness visible on the street?—There was some, but most of it was inside, in the garrets and cellars. The hotel-keepers were afraid to make men drunk and put them on the street because it was becoming so hot for them that they were afraid of being prosecuted. They put them in the garret or cellar until they became sober.

By Mr. Clarke :

8967a. It would be reasonable to infer, then, that there was more drunkenness than was seen on the street?—Yes, there was.

By Judge McDonald :

8968a. Were you in favour of the Dunkin Act?—Yes.

8969a. Did you vote against its repeal?—I did. The Judge, and the police force and everybody else in this town and this neighbourhood, was against it.

8970a. And notwithstanding that fact, you found in the latter days that you were able efficiently to enforce the law?—I did not say that. It was becoming more efficient and more easy to enforce.

8971a. And you believe if it had continued, you would have made it thoroughly efficient?—I believe so.

8972a. You think you would have wiped out the traffic?—I do not say that, but I would have wiped it out to the same extent as murders and thefts.

8973a. Did you find more perjury in those cases than in other kinds of cases?—Yes. Persons who would scorn to lie in cases of stealing would get up and lie in a liquor case—men holding high positions in the town.

8974a. How do you account for that?—They would swear that wine that had four times the percentage of alcohol that beer has, was not intoxicating.

8975a. To what did you attribute that on the part of those men?—Their opposition to the Act. This county was the battle ground of the Dunkin Act in this country. There was money sent in here to fight the Act.

8976a. To what do you attribute its repeal?—To a great extent to the money that was forwarded here from outside for that purpose.

8977a. For what purpose?—To pay speakers to talk against it and to buy votes against it.

8978a. Have you knowledge of that?—I have.

8979a. Was it investigated?—To a certain extent.

8980a. Was there any conviction of people guilty of bribery?—No, there was not. They burned the poll-books which showed the names of those who had voted. I heard one man here to-day say that he and another one had burned them.

8981a. In the rural districts was the law well observed?—A great deal better than it was in the towns and villages.

8982a. How did the rural districts vote on the Act?—I cannot give the vote. There was something like twelve or thirteen hundred majority in favour of the by-law when it was carried first, and I think the majority was about the same when it was repealed—taking the county through.

8983a. Do you remember what the vote was in Owen Sound?—I do not.

8984a. How do you find the license law carried out?—There are some violations still.

8985a. Have you reason to believe that there is illicit sale?—Yes, some. I had three cases in the Police Court yesterday. I had two convictions, and the third case is adjourned till to-morrow, when I expect there will be a conviction.

8986a. Do you think you are reaching all the cases?—No, I think not.

8987a. Is that in the town or the country?—That is in the town. The rural illicit places are nearly all shut off.

8988a. Has the introduction of railways affected the roadside hotels to any extent?—I think the Crooks Act affected them. In 1875 there were fifty-four in this district, and when the Crooks Act came into force, they were reduced to thirty-four. Now there are twenty-five.

8989a. Have you found, during the years that you have lived in this county, that there is a growing temperance sentiment and habit among the people?—Yes, increasing all the time.

8990a. Do you find that the religious and temperance societies are doing good in that respect?—Yes.

8991a. Did you find, when the Dunkin Act was once carried, whether there was any relaxation on the part of the temperance societies in carrying on their work?—There certainly was. What I contended was that if just the majority who voted for that Act had assisted me in carrying it out in this district, I could have carried it out efficiently from then till now. But they did not do it. They got frightened, and latterly we had riots here. In order to carry on a trial before the Magistrates, in a village near here, we had the volunteers called out, and the county had to pay for them. That was in a Dunkin Act case, so you can see how they fought us here.

By Mr. Clarke :

8992a. Who were fighting you?—The liquor interests.

8993a. But there was a greater element against the liquor interest?—But they relaxed their effort. The liquor men hired a crew of Yankee sailors belonging to a schooner or barge that was lying in the bay to go to Chatsworth to mob the detectives who were attending court, and we afterwards made application to the proper authorities and had a company of militia called out and sent to Chatsworth for our protection.

8994a. Did you prosecute the rioters?—I could not get evidence. I shot one of them.

8995a. I suppose the detective's life was not taken?—No. I guarded him in my house for six weeks. He had got evidence in sixty cases.

8996a. In how many of those did you get convictions?—In pretty nearly all of them.

8997a. Through his evidence?—A great many of them.

8998a. Did the people pay these fines?—Yes. In some cases the convictions were quashed by the County Judge; he quashed all he could. There was a clause in the Crooks Act that provided that we should prosecute under that Act, and the judge quashed every conviction that was prosecuted under the Crooks Act, and then I prosecuted under the Dunkin Act. During most of the time that the Dunkin Act was in

CHARLES C. PEARCE.

force, Mr. Hardy, who was Provincial Secretary, instructed me to prosecute under the clause of the Crooks Act that gave me that power, and when the hotel keepers found that they could always get the convictions obtained under that Act quashed, they appealed every case. Then, at the solicitation of different parties, the Provincial Secretary consented that I should prosecute under the Dunkin Act. In that case half the fine went to the County Treasurer and half to the informer. In these convictions the fine was paid every time ; in the cases which were quashed, the money had to be paid back again.

8999a. Do you personally favour the enactment of a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I would like to see it.

9000a. In case of the enactment of such a law, would you except from its provisions liquors required for medicinal, mechanical and sacramental purposes?—I would not. I would be afraid there would be too many mechanicals.

9001a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Only in case we could not get prohibition without it. If we could get it without that, I do not think they are entitled to it.

9002a. In case of the enactment of such a law, how would you propose to make up the revenue for the Dominion, the Provinces and the municipalities, now received from the traffic?—There would be a difficulty there for a few years, I suppose, but I think the money expended in the care of lunatics, drunkards and so on, would counterbalance it, and more than counterbalance it in a short time.

9003a. The Province pays that. In the case of the Dominion, there would be a deficiency of between six and seven million dollars. As a citizen, would you be willing to submit to direct taxation to make that up?—I would, provided every one else was taxed the same.

9004a. You would not favour the scheme that was suggested this morning of simply imposing that tax on those that supported the law?—I would not. I think if any should be taxed, it should be the other side, because they would be getting the benefit. I would not, because I never drank a glass of liquor in my life.

9005a. In regard to the income of the municipalities, how would you make that up? Would you be willing to take the same stand?—If it were necessary to submit to direct taxation, I would be willing to submit to it.

9006a. With reference to farmers making their own wine and cider, what have you to say?—I am opposed to it.

9007a. You would favour the law being sweeping enough to prevent that?—I would say nothing of cider, because if it were not made stronger than it is usually made, I would not interfere with that.

9008a. Did the Dunkin Act allow cider to be made?—Yes, I think so.

9009a. How about wine? We find that in the County of Essex it is a growing custom among farmers to make wine for their own use from the grapes they raise. Would you interfere with that?—I have not thought anything of that. I never heard of that question until this morning. I think it would be a good thing if the whole thing were prohibited.

9010a. Would you prevent citizens bringing liquor into their own houses?—I would if I had the power.

9011a. Do you know any country in which there is such a law in force as you wish for?—I do not. I have never been in any other country but this country and the States.

9012a. Is there any other statement you wish to make?—No.

By Mr. Gigault :

9013a. By what authority were you appointed Inspector?—By the Ontario Government.

9014a. If the Scott Act were in force, would it be your duty to see to its enforcement in this district also?—Yes. It was never in force here. They got up a petition, but the liquor men employed a lawyer to go to Ottawa and pick flaws in the petition, and the act was never brought into force.

By Judge McDonald :

9015a. Is any particular effort made to get it brought into force?—No. The temperance people are in favour of general prohibition.

By Mr. Gigault :

9016a. When the Dunkin Act was in force, you made efforts to enforce it, and did not succeed?—I think I fairly succeeded. I had seventy-four cases in 1877.

9017a. How many in 1878?—I do not know. About half that number.

9018a. In 1879, how many had you?—I don't know. In 1890-91, I had forty-five, and in 1891-92, thirty-three. These were not all for selling: in 1890-91, there was one case for obtaining liquor, and in 1891-92, there were ten or twelve. These cases were brought under the Gibson amendment to the Crooks Act. Wherever I find a man buying liquor during prohibited hours, I prosecute him as well as the seller. I have a statement showing the number of licenses issued each year in North Grey from 1875. I take the number of applications that year, that is the men in a position to have licenses: In 1875, there were 68; in 1876, 34; in 1877, 11; in 1878, 28; in 1879, 33; in 1880, 34; in 1881, 33; in 1882, 38; in 1883, 39; in 1884, 39; in 1885, 40; in 1886, 40; in 1887, 35; in 1888, 33; in 1889, 30; in 1890, 29; in 1891, 27; in 1892, 26; and in 1893, 25.

By Judge McDonald :

9019a. They are decreasing all the time?—Yes. They have been gradually decreasing since 1886. In 1885, the law increasing the license fees to nearly double came into force.

9020a. Do you believe an increased license fee has the effect of reducing the number engaged in the traffic?—I do, if you make it high enough. If it were put up to three or four hundred dollars about one-third of the present holders would drop out. They would have to.

9021a. Do you think it would be better to have a more rigid inspection of liquors?—I do not know. I do not taste liquor, and do not know; but from what I hear, most of the adulteration of liquor is putting water into it.

9022a. Have you ever come across cases where tobacco or other foreign substances were put in?—I have heard of such cases, but they are getting very infrequent in this country.

9023a. Have you any further statement?—I have a statement of the license fees received every year in North Grey from 1886. In that year they were \$5,791.50; in 1887, \$5,297.50—in each of those two years there was a beer and wine license; in 1888, \$4,740; in 1889, \$4,439; in 1890, \$4,017.50; in 1891, \$3,940; in 1892, \$4,445; and in 1893, \$3,397.50. Last year there was an increase of \$500, which is accounted for by two brewers' licenses which were issued at \$250 each. The expenses each year are from \$550 to \$700. The salary of the Inspector is \$500, and the Commissioners' fees from \$25 to \$40.

By Mr. Gigault :

9024a. Do you believe that drunkenness is increasing or decreasing?—I am certain it is decreasing.

9025a. Do you attribute that to the lessening of the number of licensed places?—To a certain extent, but more to the difference in the sentiment of the people. It used to be a common occurrence if you wanted to see a business man, and he was not at his place of business, that you would find him at the hotel drinking, but you do not find that now. People have got down on that sort of business. I attribute that to teaching and education among the people.

9026a. You think reducing the number of licensed places had something to do with it?—I think it had. There is not as much liquor sold in ten places as in twenty.

By Judge McDonald :

9027a. Do you think a diminution of the number of licensed taverns reduces the temptations to men travelling along the road?—It certainly does.

CHARLES C. PEARCE.

VEN. ARCHDEACON ARTHUR H. MULHOLLAND, of Owen Sound, being duly sworn, deposed as follows:—

By Judge McDonald :

9028a. You are a Clerk in Holy Orders in the Church of England?—Yes.

9029a. You have been one of the Archdeacons of the Diocese of Huron?—Yes, for about four years.

9030a. Are you now engaged in the active work of the ministry?—No, not for the last nine months. I resigned. I am just in temporary charge.

9031a. How long have you lived in Owen Sound?—Since the eighth of October, 1849.

9032a. As a clergyman and a pastor have you noticed whether there is much distress and poverty caused by intemperance?—No. There may be some, but not to a very great extent, to my knowledge.

9033a. You lived in Owen Sound while the Dunkin Act was in force here?—Yes.

9034a. Will you tell us what your observation of the working of that Act was?—I never saw so much drunkenness in the town and county, either before or since, as there was during the time that Act was in force. I then met on the street drunken men that before that were temperate men. There seemed to be a determination to show that they would not allow their liberty to be taken away by an Act of Parliament. Those men that I saw drunk at that time I have never seen drunk since.

9035a. Had you reason to believe that there was much sale going on in the town? I do not know about the sale, but it must have been distributed in some way or other.

9036a. How was it on Sundays?—It was not quite so bad as on week days, but it was bad enough.

9037a. During the time the Dunkin Act was in force, was the Sunday as well observed as it was before and after that time?—No, I think not.

9038a. Have you noticed whether there has been for some years past a growing temperance sentiment and temperance habit in the community?—I think so.

9039a. Have you reason to believe from your observation that the Dunkin Act helped that improvement?—No, I am not prepared to say that, because I think it created a bad feeling amongst neighbours. Even families were divided at that time on account of that Act. I think that even those who had voted for the adoption of the Act in the county were so disgusted and saw that it was doing harm and disturbing society that they voted for the repeal of it. They thought there would be more peace and happiness under the license system.

9040a. Do you attribute the improvement in temperance sentiment and temperance habit, of which you have spoken, to religious, moral and educational influence?—Yes, I do.

9041a. Would you yourself favour the enactment of a law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—Well, from what I witnessed during the time of the Dunkin Act, the only opportunity I had of seeing how baneful to society it was, I would not vote for a prohibitory law.

9042a. In case such a law were enacted, would you think it right that an exception should be made in favour of liquor required for medicinal, mechanical and sacramental purposes?—Certainly.

9043a. Speaking as a clergyman of the Church of England, will you tell us the rule of that church with regard to what must be used at the Holy Communion?—It must be as pure wine as can be obtained.

9044a. By wine, you mean fermented wine?—Yes, fermented wine.

9045a. In case such a prohibitory law were enacted, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Most certainly.

9046a. Is there any further statement you would like to make yourself?—I do not know that there is.

By Mr. Clarke :

9047a. You consider, then, that the present condition of things under license is better than that which obtained under the Dunkin Act?—Oh, far better altogether. The Act disturbed society altogether.

9048a. There were difficulties in the way of the enforcement of the Dunkin Act owing to its being a local measure applicable only to the County of Grey, while there was legalized sale in the counties adjacent. that would not prevail if the sale was prohibited throughout the whole Dominion?—Yes, but it would be smuggled in, I fear.

9049a. Would there be likely to be illicit distillation in the whole country?—I fear it. There is illicit distillation at present under license. I fear it would be much increased under prohibition.

By Mr. Gigault :

9050a. Do you believe that the moderate use of wine is immoral or a sin?—Certainly not.

9051a. Well, if the moderate use of wine is not a sin and is not immoral, do you believe the traffic in liquors for legitimate purposes is immoral in itself?—No, I do not. I think a man engaged in the traffic of liquor, distilling or manufacturing it can be just as good a Christian as any other man.

9052a. We had it in evidence, in Prince Edward Island, I think, that a certain mixture of grape juice with sugar was used for sacramental purposes, certain ministers having objection to use fermented wine. Do you think such a thing should be allowed?—Not in the Church of England.

By Judge McDonald :

9053a. Do you know whether, in Great Britain or in any of the colonies, being or not being a total abstainer, is ever made a test of Church fellowship?—Never, to my knowledge.

9054a. And is the question whether a man is engaged in the liquor traffic, either as a manufacturer or vendor, ever made a test of membership in the Church of England?—Certainly not in the Church of England.

MR. FORD, on behalf of the Mayor of Owen Sound, informed the Commissioners that His Worship, who was on his way to Chicago, had telegraphed to him, requesting him to come before the Commission and explain the reason of his non-attendance.

WILLIAM N. CHISHOLM, of Owen Sound, on being duly sworn, deposed as follows :—

By Judge McDonald :

9055a. You reside in Owen Sound?—Yes.

9056a. How long have you resided here?—I have been here since 1890.

9057a. You are the Inland Revenue officer for this division?—Yes, I am the Deputy Collector.

9058a. How large is the district?—It includes the County of Grey, the County of Bruce and the Town of Collingwood. These were added to the county of Grey on the 1st of July 1891.

9059a. Have you any statistics in reference to the Inland Revenue returns for this district?—Yes. I put in a statement, showing the quantity of liquor warehoused, the quantity ex-warehoused for consumption, and the amount of duty collected, for each year from 1884 to 1893. In the two years that the Dunkin Act was in force, 1877 and 1878, the amount of duty collected on the liquor sold in Owen Sound was \$15,300.20. There was no warehouse outside of Owen Sound.

VEN. ARCHDEACON ARTHUR H. MULHOLLAND.

By Mr. Clarke :

9060a. How do you know it was sold in Owen Sound ?—The duty was paid in Owen Sound.

9061a. I suppose the liquor would be sold throughout the county ? Would none go outside of the county ?—I do not know that.

By Judge McDonald :

9062a. Have you any statistics with regard to malt liquors ?—Yes. I put in a statement showing the quantity of malt used, the quantity of beer produced from it, and the duty collected, for each year from 1884 to 1893.

9063a. Were you here yourself in 1885 ?—No. I came here in 1890. Before that I lived in Meaford, twenty miles from here, for twenty-five years, but I have been here quite frequently.

9064a. I notice that the spirits taken out for consumption in the year 1884-85 were 9,224 gallons, and in the following year 4,158 gallons : that was in the county of Grey alone at that time. Can you explain that diminution by about one-half ?—Very often, if they thought there was going to be a change in the tariff, they would buy large amounts of liquor, that is about the only way I can account for it.

9065a. In the next year, 1886-87, there is very little difference ; in 1887-88, there was an increase to 6,500 gallons, but in 1888-89 it sprung up to 10,700 gallons ?—Well, I suppose the wholesale men must have extended their business.

9066a. Was there an increase in the duty at that time ?—No.

By Mr. Clarke :

9067a. Was the Scott Act in force in Bruce in 1885, 1886 and 1887 ?—I really do not know what years it was in force.

9068a. Would the decreased quantity taken out of the warehouse in those years be accounted for, by there being not so much liquor sold through the instrumentality of these wholesale men in the counties adjacent to this county, in which the Scott Act was in force ?—No, because they were not attached to this district at that time. They were in the Stratford division.

9069a. Were there not wholesale places here that had business ramifications out in those counties where the Scott Act was in force ?—I could not say whether they had any business in Bruce or not.

9070a. The Act was in force in March, I think, in 1886, '87 and '88 ?—I was not in the service at that time. I have just taken these figures from the books.

9071a. You cannot account for the great decrease in those years, and the great increase immediately after ?—No.

By Judge McDonald :

9072a. At the time the Dunkin Act was in force in the County of Grey, were you residing in Meaford ?—Yes.

9073a. Speaking as a citizen of Meaford, how did you find the Act carried out ?—It was a complete farce.

9074a. In what way ?—It was not carried out at all. People sold liquor wherever they liked, and paid no respect to the law at all.

9075a. Was there much drunkenness ?—Yes.

9076a. How was the vote on the Act in Meaford ?—I really forget.

9077a. Do you know whether any persons were engaged in the sale there, other than those who had previously been licensed ?—I could not answer that question.

9078a. Has illicit distillation prevailed to any extent in this district ?—Not so much as it did several years ago. But every year we get a still or two.

9079a. How are those stills operated ?—They are generally operated in a house.

9080a. Among the farmers or in the woods ?—Principally in the woods, among the Islands. We got one in town here last year.

9081a. What kind of liquor is made in them ?—Very poor liquor.

9082a. From what is it made?—In the one we got in town here, the liquor was made from syrup or common molasses, shorts and potatoes.

9083a. It was very poor liquor?—Oh, you could not drink it at all. You had to be copper-lined to drink it.

By Mr. Clarke :

9084a. What would it be used for?—Oh, a certain class would prefer that to any other liquor. A Scotchman would prefer it to any other, it bites so.

9085a. That must be very injurious in its effects?—Certainly. I think it would kill one if he took very much, because it was not properly distilled.

By Judge McDonald :

9086a. There would be a good deal of fusil oil in it?—Yes.

9087a. In case of the enactment of a prohibitory law, would you expect much of that sort of illicit distillation?—Oh, it would increase largely. When there is some at present, if they could not get liquor, it would increase largely.

ALFRED J. SPENCER, of Owen Sound, on being duly sworn, deposed as follows:—

By Judge McDonald :

9088a. You reside in Owen Sound?—Yes.

9089a. How long have you resided here?—Forty-six years.

9090a. You are Treasurer of the town of Owen Sound?—I am.

9091a. As such, do you receive the sums of money paid to the town for licenses?—The town receives the money from the Board of Commissioners.

9092a. And it is paid into your hands as Treasurer?—Yes.

9093a. Have you a statement with you showing the sums you have received in the last ten years?—No, I have not; but they have been between \$900 and \$1,000 a year for several years past.

9094a. During the time the Dunkin Act was in force, did any portion of the Dunkin Act fines come to you?—I think not.

9095a. As a citizen, what was your observation of the effect of that Act?—It was a failure. It did not reduce the sale of liquor.

9096a. Was drunkenness apparent during that period?—Yes.

9097a. Do you remember whether any drunkenness was seen on the Lord's Day during that period?—I think there was.

9098a. Can you say there was as much drunkenness and disorderly conduct on the Lord's Day, at that time, as before or since?—I think there was as much.

9099a. Have you reason to believe that persons who had been previously licensed kept on selling during the time the Dunkin Act was in force?—I think they did.

9100a. Have you reason to believe that others, new people, went into the traffic?—I think it is very likely others did.

9101a. Were there benefits of any kind that you know of that accrued from that Act being in force?—None.

9102a. Are you yourself favourable to the enactment of a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—I am not.

9103a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Most decidedly so.

9104a. As a citizen, how do you find the present state of things in Owen Sound, under the license law?—There is less drunkenness than there was under the Dunkin Act.

WILLIAM N. CHISHOLM.

9105a. From your experience of the two, which would you prefer, the Dunkin Act or the license law?—The license law.

9106a. Have you had any experience of a prohibitory law other than the Dunkin Act?—None whatever.

By Mr. Clarke :

9107a. Do you remember anything of the troops or militia being called out during the time the Dunkin Act was in force?—I heard that a detachment of the Flesherston company was sent to Chatsworth.

9108a. For what purpose?—To keep order.

9109a. Who were creating disorder?—The opponents of the Dunkin Act.

9110a. Were they rioting?—It was feared there would be a riot, over the men to be tried there before the Magistrate.

9111a. Was the Magistrate to be assaulted, or the witnesses, or who?—I do not know. All I know about the matter is from hearsay.

9112a. Who could give us particulars of the calling out of the troops and the reason for their being called out?—The Magistrates of Chatsworth, I imagine. They would be the parties to call out the troops.

9113a. The Act was carried by some 1,200 or 1,300 majority, I understand?—Yes, it was.

9114a. It is inexplicable why troops should be called out to aid in the enforcement of an Act, with reference to which there was such a strong and favourable public sentiment. Can you explain that?—The only reason is that the parties who voted for the Act did not help to enforce it. They merely voted for it, and that was all.

9115a. Was the vote an honest expression of public opinion, then?—It seemed very clear that the parties in favour of it, were not prepared to do anything in helping to enforce it.

9116a. Was it reasonable to expect them to do anything more than others?—They could give it their moral support.

9117a. Did they not do that?—No. They voted for it, and that was all.

9118a. What caused them, later on, to vote to repeal it?—My idea is that people saw that it was a failure. It did not stop the sale of liquor, and the municipalities lost the revenue they had had under license, and so they thought it was better to go back to the old system.

9119a. Did you concur in that opinion yourself?—Yes.

9120a. Did you vote for the Act?—No, I do not think I did.

9121a. Do you think the number of licensed places in Owen Sound at the present time is in excess of the number required to transact the legitimate business of the town?—No, I think not.

9122a. You would not favour, then, a further reduction?—No.

9123a. Are there any saloons in Owen Sound?—No.

9124a. Do you favour the issue of licenses to saloons?—No.

9125a. Have you noticed whether there has been a general improvement, all along the line, in the drinking habits and customs of the people?—I think there is.

9126a. To what do you attribute the improvement?—To a growing feeling against the use of liquor.

9127a. That feeling is growing steadily?—I think it is.

By Judge McDonald :

9128a. Is there any statement you would like to make yourself?—No.

JAMES C. STEPHENS, of Owen Sound, Customs Collector, on being duly sworn, deposed as follows:—

By Judge McDonald :

9129a. You reside in Owen Sound?—I do.

9130a. How long have you resided here?—Since 1850.

9131a. You are Collector of Customs for this port?—Yes.

9132a. How long have you held that position?—Since 1882.

9133a. Have you any figures with you, in reference to the imports?—I have a statement of the spirituous liquors imported in each fiscal year from 1886 to 1893. In 1886 there were 363 gallons, value \$186, duty \$635.25—gin; in 1887, 145 gallons, value \$174, duty \$290—brandy; in 1889, 158 gallons, value \$97, duty \$276.50—gin; in 1890, 135 gallons, value \$80, duty \$270.50—gin. That is the last importation.

9134a. What about 1888?—There were no importations in 1888, and there have been none since 1890.

9135a. You resided in Owen Sound at the time the Dunkin Act was in force?—Yes.

9136a. As a citizen, what was your experience and observation of the Act?—I did not consider it a success.

9137a. What were the difficulties?—Liquor was sold in all the hotels, or in most of them.

9138a. Was drunkenness to be seen on the streets?—Yes.

By Mr. Clarke :

9139a. Was there any diminution in the sales at the hotels?—I could not say.

By Judge McDonald :

9140a. Can you tell us whether it would be easy here, in case of the enactment of a prohibitory law, to control the importation or non-importation of liquors?—I should think so.

9141a. You think you could do that, without difficulty, as a customs officer?—Yes.

9142a. Could you do that with your present force of officers?—Yes; I think I could.

By Mr. Clarke :

9143a. Could you prevent smuggling with the present staff?—Yes; I think so.

By Judge McDonald :

9144a. Is there any statement you would like to make yourself?—No.

CHARLES C. PEARCE re-called.

By Judge McDonald :

9145a. Can you give us any further information in reference to the calling out of the military in connection with the cases at Chatsworth that you spoke of?—Yes. That was not in my district, but the County Attorney came and asked me to accompany him to Chatsworth on account of the threats that had been made of violence to the detective. The Inspector for East Grey, now Centre Grey, had some trials there that day, and the detective was mobbed, as the court adjourned for tea, about six o'clock in the evening. The mob had got sticks from the swamp, second growth black ash, about the size of a good walking stick, and their pockets full of stones, and they were headed by one of the bartenders from Owen Sound, and Dr. McGregor, of Chatsworth, who claimed that they were the whisky bullies of this county.

JAMES C. STEPHENS.

9146a. Did you see this yourself?—I did. I brought the detective with me, and they reached over my head and struck him.

9147a. Who made up the mob?—Parties opposed to the Dunkin Act. Some of them were from here and some from Chatsworth, and part of them were the crew of the Yankee barge that lay in the river. Some of the hotel-keepers had gone around the day before and made up a crew of men to scrub the coal barge, and paid this crew to go out to Chatsworth.

9148a. Where did the detective come from?—He is still a resident of this town. He came up on the train from Orangeville; maybe he came from Toronto. They mobbed him that night. Some shooting was done. I was struck on the head with a stone, for protecting him. We had to telegraph to town for men to come out to see that we got home all right. Then the cases had to be adjourned. The Magistrates went to the court room after tea, opened the court, and adjourned the cases for a week. That was after the rioting had taken place. Then the Magistrates, the County Attorney and myself, made out some affidavits, and sent them, with an application, to the proper authorities, to have the militia ordered out. They were ordered out—a company from Flesherton—and were there at the next sitting of the court, and it passed off quietly. We had also some trials at Dundalk, two days after the trouble at Chatsworth, with the same detective, and the same mob followed him there.

9149a. Did the sailors follow him about?—No; the sailors had got their quietus by this time. Dr. McGregor and the bartender, Felcher, again headed the mob, and incited them. The railway company saw the gravity of the case, and, on the way up, they sent an engine, with two constables on board, ahead of the passenger train, to see that the track was not torn up. It was on the regular passenger train that we brought the detective home. At Chatsworth, the mob, headed by McGregor, attacked the train. Some of them went through the train and counted the seats to the one where the detective was seated, and then they threw stones through the car window, opposite his seat, to try and hit him. But I had anticipated it, and got the detective to squat down below the windows, and he was not hurt; but the stones that were thrown knocked out the windows and shutters of the car, and the pieces were scattered through the car. They telegraphed ahead, and got a crowd to meet the train here with rotten eggs and stones. But I managed to get him into a rig and took him to my house, where I kept him for six weeks, and the house was guarded every night during the six weeks by armed men. Sometimes there was a mob around the house large enough for six or seven riots.

9150a. What punishment was inflicted on these men who threw the stones?—No punishment at all.

9151a. You knew who they were, who led the mob, and who struck the detective at the time he was with you?—Dr. McGregor incited the crowd, and tried to get them to go past me.

9152a. You have stated upon your oath that Dr. McGregor and Felcher headed the mob. Knowing those two men, what steps were taken for their punishment?—None whatever.

9153a. Why did you not take steps to have them punished?—Because we knew too much. Every one on the opposite side would have sworn that these men were not there. There was so much perjury in those cases.

9154a. Have you ever known such a state of lawlessness, perjury and excitement in connection with any other law, that you did in connection with that law?—I never did.

9155a. To what do you attribute it?—I attribute it to the fact that it brought out the worst nature in those men. It did not make them any worse, but it brought their worst nature to the front. I believe the perjury was in the men.

9156a. Do you believe the state of sentiment in the community had nothing to do with it?—I do not know.

9157a. Do you believe that if the sentiment of the community had been the same with regard to that law as it is with regard to any other law, it could have been carried out?—I do not think it could. I do not think you could get the same feeling up in regard to any other law as there was in that case.

9158a. Did the detective eventually get away without hurt?—Yes. He is living here now. He was afterwards tried on a case of perjury that they trumped up against him, and they went to Horning's Mills, sixty miles from here, to lay the information before an ex-hotel keeper who was a Justice of the Peace. We feared that the mob had intentions on the man's life, and wanted to get him away from here so that he would never see the light again. He was tried at the assizes here before Judge Burton and convicted of one charge, but he was afterwards acquitted on a point of law before the courts in Toronto. He has been living here ever since.

9159a. Did you go through with anything else in connection with these matters?—I did certainly. I got a mark on the back of my head that I will carry all my life. I lost a horse by poisoning that I valued at two thousand dollars. They also poisoned my dog, and I got another dog and they poisoned him.

9160a. Were the parties prosecuted?—No, I could not prove the cases against them. I knew the person who did it, but I could not prove it. The person is dead now. They threw a stick of wood filled with powder into my yard where my wood was, and it was put into my stove and blew it up.

9161a. All this occurred in Owen Sound?—Yes. More than that. I arrested Dr. McGregor at the direct command of the Magistrates, one of whom was here to-day—Police Magistrate Spencer, and the Town Council were so opposed to it that they would not allow us to use the building that was used as a Police Court; they would not allow us to use that for the cases from outside the town, and I had to hire a court that cost me thirty dollars. The trouble was that Dr. McGregor and the crowd that came with him from Chatsworth would insist in keeping their caps on and smoking in the court room. I put him out and the Magistrates followed me out and told me to arrest him. I did so, and handcuffed him. They afterwards ordered me to release him. He sued me for damages for false arrest, and he got a verdict of three hundred dollars against me which I had to pay out of my own pocket.

9162a. Did the Magistrates not make it good to you?—No.

9163a. You acted under orders?—I acted under orders, and the Magistrates swore that they had ordered me, and approved of what I had done.

9164a. Did you ever make representation of this either to the municipal or the Provincial authorities?—Oh, yes. From the Provincial authorities I got a portion of my expenses back in that case of McGregor, but not nearly the whole of them.

9165a. To what do you attribute the difficulties you had in the face of there being such a sentiment in the community in favour of the Act?—Well, there seemed to be a determined set, on defeating the provisions of the Dunkin Act or any other prohibitory act in this county.

9166a. You knew the people of the community pretty well, didn't you?—I did.

9167a. Did you notice whether any persons who took part in the opposition to the Act were people who did not oppose the carrying out of the ordinary laws?—They certainly were. Men in high positions in this town, would go around at night throwing stones and rotten eggs.

9168a. Have you seen that done?—Certainly. I have followed them after dark, lots of times.

9169a. Were they punished?—No. It was pretty near a state of anarchy at that time.

By Mr. Clarke:

9170a. There never has been any desire to have a prohibitory law in this county since that?—Not a law like that. There was a petition signed and sent to Ottawa to have the Scott Act, but there was some legal objection taken to it that threw it out.

By Judge McDonald:

9171a. Have you ever had any difficulties of the same kind arise, when you have prosecuted men for breaches of the license law?—We did have some trouble at the start.

9172a. Mobs collected?—No. Trouble about getting witnesses out of the way.

CHARLES C. PEARCE.

9173a. I mean did you ever have any of those ebullitions necessitating the calling out of the military, and so forth?—No, nothing of that kind.

9174a. Do you think there exists in the minds of the community, as a whole, a greater willingness to enforce the license law than there was the Dunkin Act?—There certainly is. The people who voted for the Dunkin Act did not give the assistance they ought to have done to enforce it—some of them did. In fact, a great many of the very parties who voted for the Act were violators of it.

JOHN MILLER, of Owen Sound, Governor of the County jail, on being duly sworn, deposed as follows :

By Judge McDonald :

9175a. You reside in Owen Sound?—I do.

9176a. You are Governor of the jail of the County of Grey?—I am.

9177a. How long have you held that position?—Thirty-one years.

9178a. When the High Sheriff was here this morning we asked him if he would ask you to prepare a statement giving some of the jail statistics?—Yes, I have prepared it, giving the number of persons committed for being drunk and disorderly in each year from 1875 to 1892 inclusive.

9179a. Do you remember what years the Dunkin Act was in force in this county?—I think in 1876, 1877 and 1878.

9180a. I notice that in 1875 there were twenty-eight commitments for drunkenness, in 1876 the number dropped to fifteen, in 1877 to thirteen, in 1878 to fourteen, and in 1879 increased to thirty-five. Have you reason to believe that during the time of the Dunkin Act there was a smaller number of commitments for drunkenness than before or after?—There were fewer commitments for drunkenness during those years than during any other year.

9181a. I notice that in recent years there is a decrease again. The number must be getting comparatively less all the time?—Yes, it is going down.

9182a. To what do you attribute that?—I do not know what the cause is. I suppose more temperance.

9183a. Do you find that there is a growing temperance sentiment and temperance habit in the community as a whole?—I think there is.

9184a. Do you think to that may be attributed the decreased number of commitments in recent years?—There may be that. The police may be more lax in the arrests for drunkenness, and there may be more fines paid.

9185a. Taking the county as a whole, do you find that there is a diminution in crime from year to year?—Yes, it is almost continuously going down, especially the more serious offences.

9186a. Comparing the earlier years of this statement with the later years, have you had the same class of population in the county; in other words, has there been an increase in Owen Sound of the sailor class of people and other temporary visitors?—There was some years ago, at the time that our population went up so much on account of railway construction in the County of Bruce. Many of the men came here in the winter time.

9187a. What years would they be? For instance, we find that there were forty commitments in 1880: would that be one of the years?—Yes, about that time. At the time there was so much railway construction in the North-west, and a great many people going there, there were a good many temporary people here, and a good many arrests.

9188a. Is it the result of your experience during the time you have occupied the position of Governor of the jail that the criminalty of a large proportion of the people committed to jail may be attributed to intemperance?—There is a large proportion of the minor offences attributable to that.

9189a. Besides the cases of drunkenness and disorderly conduct themselves, take the cases of petty assault?—Those are the cases I refer to.

9190a. Take cases of petty larceny. We are told that people who are addicted to drink will steal some small article with which to get money for liquor?—We do not come across many of them.

9191a. Have you many vagrants?—Yes, a good many.

9192a. How are they as to their habits?—Intemperate.

9193a. Have you many total abstainers in the jail?—We have some, not many.

9194a. Take those who commit the greater crimes, such as burglary, forgery, arson, to what class do they belong?—They are from the temperate class.

9195a. What was your experience of the working of the Dunkin Act?—Personally I had not much experience of it, and do not know much about it. My duties did not bring me into contact with it.

9196a. Do you favour the enactment of a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors as a beverage?—I would want to read the Act to see what restriction it imposed, before I would say I favoured it.

9197a. What restriction do you favour yourself?—I do not favour any.

9198a. You are not a believer in prohibition, then?—No.

9199a. Do you favour a license law?—Yes.

9200a. In case a prohibitory law were passed prohibiting the manufacture of intoxicating liquors, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No, I do not think they should be remunerated, if a reasonable time were given to close up their business.

By Mr. Clarke :

9201a. Have you many juvenile criminals?—Not a great many. We have had more during the last two years than we had in the previous twenty.

9202a. To what do you attribute the increase in the number of minors committed to jail?—I do not know. Their offences are chiefly petty larcenies, stealing pigeons and other little things.

9203a. Are these the children of drunken parents?—Yes, in nearly every case.

By Mr. Gigault :

9204a. Do the figures in your statement represent the number of prisoners in the jail at the end of the year, or the number committed during the year?—The number committed during the year. Our jail year ends on the 30th September. The figures are just copied from the returns made to the Government on the 30th of September every year.

9205a. Could you tell us the population of the whole county?—I could not. Somewhere about 70,000.

By Judge McDonald :

9206a. Is there any statement you would like to make yourself?—No, I think not.

9207a. One question more. Do you find men committed to jail repeatedly for short terms for drunkenness?—Yes.

9208a. Do you find that that system works any reform in the person committed?—I do not think so.

9209a. From your experience of that system, would you think it better to adopt some other—say imprisonment for a longer term in some place where the prisoners would be given work?—I think it would be much better. The term of imprisonment is too short. Generally twenty-one days is all that can be given to a man for being drunk, and he does not get quite sober in that time, if he is an old soaker, and is hardly fit to go to work at the termination of his sentence.

JOHN MILLER.

BENJAMIN ALLEN, of Owen Sound, Clerk of the First Division Court, on being duly sworn, deposed as follows:—

By Judge McDonald:

9210a. You reside in Owen Sound?—Yes.

9211a. You occupy an official position?—Yes. At present I am Clerk of the First Division Court.

9212a. I understand that at one time you represented this division in the House of Commons?—Yes, I was the member for North Grey.

9213a. How long have you resided in Owen Sound?—Thirty-six years.

9214a. You resided here when the Dunkin Act was in force?—Yes.

9215a. Will you please state your experience of that Act?—I took an active part in the promotion of that Act, and I found everywhere an organized system to oppose its passage, and to oppose the working of it afterwards. The liquor party and their friends appeared to be bound first to defeat the by-law, and afterwards to destroy its working.

9216a. In what way were those efforts made?—In every possible way. When any person was brought up for trial a number of witnesses would appear, whether drunk or otherwise—a great number under the influence of drink—and would make statements that many persons thought were false in order to have their friends discharged. You have heard of the riot at Chatsworth, and the same feeling was here in Owen Sound. When any person was to be tried, a large mob would collect. In fact, some nights we considered it dangerous to be on the streets. I myself often felt afraid to be on the streets after dark. A mob would come around howling and yelling. They pelted my house with rotten eggs, broke my lamps and in other ways showed their disapproval of my conduct.

9217a. Had you reason to believe that the sale of liquor was carried on?—Yes, it was carried on.

9218a. Was drunkenness apparent on the streets?—I think people at that time made it their boast and showed that they could drink in spite of any law in existence. That appeared to be their determination.

9219a. Did you find beneficial results from the Act?—Not as it was. But if the Dominion Government had furnished a law to punish those men the same as other criminals, we certainly would have carried it out.

9220a. What law do you mean?—I mean to punish a man for selling—to treat him as a criminal. If the law were such, we could punish men for the breach of the law.

9221a. Do you mean so that a man could be sent to prison for a breach of the law not a mere money penalty?—Well, if the money penalty had been sufficient. If the Dunkin Act had not been repealed, I believe that in spite of all the liquor men, Mr. Pearce and the constables and the County Attorney would have succeeded in enforcing the law and stamping out the whole thing.

9222a. In what way would you make the penalties more severe?—It is not for me to say.

9223a. There was a money penalty under the Act?—But the difficulty was to punish any person. It was very difficult to get a conviction.

9224a. How would any other legislation have remedied that?—If the Government would impose such penalties that the Magistrates could deal with the selling of liquor the same as with other crimes.

9225a. But there were penalties, and you say you could not get convictions?—It was difficult in the first place to get convictions, and then the law was such that a constable could not go into a person's house and search it for liquor. A man might carry on a sale, and allow his friends and customers in, and the Inspector could not go in.

9226a. The Inspector has told us that his convictions under the Dunkin Act were all sustained?—Yes, but neither he nor any other constable could go into a man's house.

9227a. You would have the law changed so that a constable could go into a man's house?—Yes. If the constable could go into a hotel or any place where it was supposed they were selling liquor, and get proof there, the parties could be convicted.

9228a. From your knowledge of the people of this section, do you consider that there would be any feeling in regard to a law allowing a constable to go into a house and search for liquor?—If the law authorized and allowed him to search the house and punish the man if there was evidence that he had liquor for sale, I believe the community would undoubtedly stand by him.

9229a. You believe the public sentiment would favour such a law, and help him to carry it?—That is my opinion.

9230a. Have you had experience of such a law?—Not in this county.

9231a. Have you in any other county?—Not personally, except seeing the reports of the working of the Scott Act.

9232a. In all the Scott Act counties in Ontario that we have been in, we have been told that that Act was repealed?—The Act was repealed because the machinery for punishing criminals was such as we had under the Dunkin Act, and the constables had not the power needed to punish them.

9233a. What did they lack under the Scott Act?—When the McCarthy Act was passed, it allowed the doctors to sell liquor.

9234a. Would you take away that privilege?—I would, certainly.

9235a. Would you favour a law for the whole Dominion prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—Certainly I would.

9236a. In case of the enactment of such a law, would you make an exception of liquors required for medicinal, mechanical, and sacramental purposes?—I think I would leave the Government in power to say whether there should be that exception or not, as they thought proper.

9237a. Do you think the Government should, themselves, manufacture the liquor required for those purposes, or allow private individuals to do so?—I think they should take charge of it themselves.

9238a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—It would depend on the time the law came into force. If reasonable time were given to them to dispose of their plant, it would make a difference.

9239a. Would not such a law be brought into force at once?—I think so.

9240a. In that case would you favour remuneration being made to them?—If the whole thing was decided in a moment, I would not say it would not be fair to give compensation to some parties; but I would favour a reasonable time being given to allow the thing to die out gradually.

9241a. Would you favour the exception from such a law of wine made by farmers from their own grapes, and cider from their own apples, for their own use. I would, certainly.

9242a. Would you allow them to make their own beer, and wine, and cider?—Not if it was fermented.

9243a. Have you considered how the revenue requirements would be made good in case of the enactment of such a law?—By economical government, and cutting down expenses.

9244a. You think a certain amount of retrenchment would make up the revenue that would be lost?—I think the amount of revenue derived from the sale of liquor is counterbalanced very materially by the amount expended to enforce the law and for the punishment of crime, and everything connected with it.

9245a. That may apply to the Province, which gets only a few hundred thousand dollars from the traffic, and has to bear the expense of the officer to enforce the law, and the expense of a great many public institutions; but the Dominion has not, and it gets a revenue from the traffic of between six and seven million dollars?—If the Dominion Government would collect a revenue tariff from the luxuries of the country, not including liquor, I think they could raise enough to meet the requirements of economical government.

BENJAMIN ALLEN.

9246a. It is said that the customs duties on liquors are of that class, because they are the kind used mostly by the wealthier people as luxuries?—We see poor men drink more than any others.

9247a. That would apply to the inland revenue, but not to the other?—Possibly.

9248a. How would you propose to get this revenue?—By retrenchment and duties on other items.

9249a. Would you name some of those items?—I have not thought of any; but I think I would increase the duty on tobacco.

9250a. Suppose you increased it on tobacco until you put tobacco out of use?—That would be all the better for the country.

9251a. If the use of liquor and tobacco were abolished, what would you raise a revenue from?—I think a large majority of the people would be willing to have other goods taxed, in order to wipe out the liquor traffic.

9252a. If that was done and there was still a deficiency, would you for one be willing to submit to direct taxation in order to do away with the liquor traffic?—I would, if a share had to come out of my own pocket.

9253a. How do you find the license law carried out in this community?—It is carried out very well.

9254a. You have very efficient officers here?—Very good officers.

9255a. In case either the hotel or the saloon license were done away, which would you rather have done away with?—I would certainly wipe out the saloons. I was a License Commissioner for six or seven years—I was one of the first in the town.

9256a. Are you a License Commissioner now?—No.

9257a. Do you think where billiard tables are allowed that they should be separated entirely from where liquors are sold?—Yes; we passed a by-law when I was a Commissioner, entirely separating the two.

9258a. Have you been in business?—Yes; nearly thirty years, as a merchant.

9259a. Did you find your business affected to any extent by intemperance?—I think the dry goods and the grocery trades suffer on account of the money paid for liquor.

9260a. Then, you think the liquor traffic has an effect on other businesses outside of itself?—Yes; I think it is an injury to legitimate businesses, and I think that if the Scott Act were adopted in this county, it could be enforced here. That was my opinion when the petition was got up and sent to Ottawa.

9261a. You think, then, that you might have escaped here the repeals that they have had in other counties?—The repeals in other counties, I think, were because the people were not prepared to enforce the Act.

9262a. You think you could enforce it here?—I think the clause in the McCarthy Act destroyed that, giving power to a certain number of people to sell liquor, and preventing officers from entering houses.

9263a. But if you carried the Scott Act, you think you could enforce it without any trouble?—We could enforce it, I believe, without any doubt.

By Mr. Clarke:

9264a. How do you account for the repeal of the Scott Act in every county where it was carried?—Because the people found that the Dominion Government law did not empower them to enforce it.

9265a. Were not there Inspectors and other officials to enforce the law?—No. What I mean to say is that the Inland Revenue officer was at the head of the department to punish any person for the infringement of the Act.

9266a. Was the enforcement of the law left to the Inland Revenue officer?—He was the principal person.

9267a. In the County of Bruce, was it the Inland Revenue officer who was expected to enforce the law? Was there not an Inspector and Magistrates?—Yes, but they had no power to go into a man's house and search for liquor.

9268a. Who appointed the Magistrates and the Inspector?—The local Government.

9269a. Then, in your opinion, the Scott Act was not workable?—Certainly not.

9270a. What amendment, in your opinion, would make it workable?—If the Dominion Government would treat breaches of that law in the same manner as larceny and other crimes, then it could be enforced.

9271a. Then, in order to enforce it, you would want to arrest a man who buys or sells a glass of liquor as you would treat a thief?—Something that way, if he breaks the law.

9272a. Would an amendment of that kind be necessary to make the Scott Act workable?—An amendment of some kind to punish those people who break the law.

9273a. That is, an amendment that would put the man who violates the Scott Act in the same category as the man who commits robbery or arson?—Yes, or who breaks any law of the country.

By Judge McDonald :

9274a. Is there any statement you would like to make yourself?—I made a mistake in saying that I had not experienced any place where a prohibitory law was in force before. I had in Australia, at the Bendigo gold diggings, in Victoria.

9275a. What kind of a law had they there?—It was prohibitory altogether.

9276-7a. How did it succeed?—Very badly. The mining population would buy liquor, whatever it cost, irrespective of all law.

CHARLES C. PEARCE.—I would like to make a statement. I said that there were none of the rioters who went to trial. Some were committed, and the grand jury found a true bill against them, and some were not proceeded against.

JUDGE McDONALD.—Were any of them convicted?—No.

CHRISTOPHER EATON, of Owen Sound, brewer, on being duly sworn, deposed as follows :—

By Judge McDonald :

9278a. Where do you reside?—In Owen Sound.

9279a. What is your occupation or business?—Brewer and malster.

9280a. How long have you lived here?—Ten years.

9281a. How long have you carried on that business?—Three years by myself, and previous to that, with my brother, I carried it on seven years.

9282a. Were you a resident of this county at the time the Dunkin Act was in force?—No; I was not here then.

9283a. Can you give us any figures as to your output of beer?—As I did not receive my subpoena until this morning, I have had time only to get the quantities of malt we ex-warehoused and paid duty on for the fiscal year beginning July 1, 1892, until the present time. We paid duty on 14,247 bushels of malt, equal to \$10,258.20, and we brewed 156,000 gallons of ale and porter during that time.

9284a. Since you have been in the business here, has your ale and beer been consumed in this county, or do you send any elsewhere?—Principally in this county, and we ship up the lakes to Port Arthur and Fort William.

9285a. Did you deal in any county where the Scott Act was in force, and while it was in force?—Yes, we did, in Orangeville, in the County of Dufferin, and in Tara, in Bruce County.

9286a. Did you find your trade in either of these sections affected by the Scott Act?—We did a very flourishing trade in Tara during the time of the Scott Act. We never have been able to do so much either before the Scott Act was in operation or since it was removed.

9287a. To what do you attribute that?—Because we were living so close that we were able to send it over in small quantities, and the hotel-keepers need not keep so large a stock on hand.

BENJAMIN ALLEN.

9288a. Did people come here to get it?—They sent us word to ship it. We sent it by wagon, and also shipped it to Warton by boat.

9289a. How about your trade in Orangeville during the time of the Scott Act?—We did a very unsatisfactory trade there. We shipped it by train in small quantities.

9290a. Did you have any difficulty in making collections in Scott Act counties?—Yes, we did in Orangeville. One person owed us \$150, and we could not collect it.

9291a. Did he take advantage of the Scott Act?—Yes.

9292a. In case of the enactment of a prohibitory law, prohibiting the manufacture of ale, beer and other malt liquors, would you be injuriously affected?—Yes, I would lose the whole of my capital, I think.

9293a. Have you plant and machinery that would be rendered useless?—Yes. The whole of my fortune is staked in that brewery and malt-house, and if such a law were brought into force, it would utterly ruin me, no matter whether they gave me one year or two years notice, because it would be utterly useless to carry on my business after that; and I could not expect to recover my book debts, because the occupation of the dealers would be gone. I came to this town ten years ago and put my whole fortune here, and I was very much surprised that I had come into a country where they had such prohibitory laws. At that time I was travelling for a dry goods firm, and the first town I struck was Milton, where I saw a great many men under the influence of liquor. I could not understand it: I thought it was some gala day or holiday; and when I went to the hotel for my dinner and asked for a glass of beer I could not get it—they said this was a Scott Act county. When I went outside and saw so many people intoxicated, I asked: "What is this? They said: "This is the Scott Act." I asked what the Scott Act was. They told me people were not allowed to sell liquor, but I saw that a considerable quantity was sold. That is my experience of the Scott Act. I do not think we need any prohibitive measure of that kind: our town is not in a state of drunkenness or disorder. When I first came here ten years ago, there were only nine hotels in the town; that was in March, 1883. In March, 1893, there were twelve hotels, and there was very much more drunkenness in 1883 than there is now.

By Mr. Clarke :

9294a. Has the increase in the number of hotels decreased drunkenness?—I do not know that.

9295a. Is there any connection between the decrease of drunkenness and the increase in the number of hotels?—I attribute the decrease in drunkenness to the vigilant enforcement of the license law by our Inspector, and the conscientious observance of the law by the hotel-keepers. We have a respectable class of hotel-keepers here who do not want to encourage intemperance.

By Judge McDonald :

9296a. Have you had experience of any prohibitory country besides Canada?—No, I have never resided in any other country than England and Canada.

9297a. Do you make much lager beer?—No, ale wholly.

9298a. How many men do you employ?—Ten.

By Mr. Clarke :

9299a. Are the statistics you have given, an average?—Yes.

REV. WILLIAM HINCKS, of Owen Sound, on being duly sworn, deposed as follows:—

By Judge McDonald :

9300a. You reside in Owen Sound?—Yes.

9301a. Of what Church are you minister?—The First Methodist.

9302a. How long have you lived in Owen Sound?—About eighteen months.

9303a. Have you lived in other parts of the County of Grey?—No.

9304a. You did not live in Grey when the Dunkin Act was in force?—No. I came here from Stratford.

9305a. Have you had any experience of the workings of a prohibitory law?—Not by residence in a place. Only by observation in passing through.

9306a. Where was that?—In the County of Oxford, parts of Vermont and the State of Maine.

9307a. We have put in evidence the declaration upon the question of prohibition made by the General Conference of your Church at Montreal in 1888. Do you personally concur in that declaration?—I concur in it as an individual, so far as I know what was included in it.

9308a. Where were you in Oxford County?—I have been in Woodstock.

9309a. How did you find things there?—I found them such as to discourage me very much with the working of the Scott Act.

9310a. What was the trouble?—There seem to be lack of vigorous enforcement of the Act.

9311a. What was your experience in Maine?—In Maine I saw some drunkenness in the city of Portland, but I found that unless one knew how to get liquor it was very difficult to get it. For instance, at the hotel at which I stayed I looked around to see if I could find a bar-room or liquor. I found afterwards that there was a bar-room back somewhere, but I did not locate it; yet I knew that liquor was sold on the premises.

9312a. From your experience as a clergyman, have you found that a good deal of the distress and misery with which you have been called to deal is caused by intemperance?—It is always associated with it. At least ninety per cent of the cases that we assist as a church, I find are associated with intemperance.

9313a. Do you find that there is and has been a growing temperance sentiment and habit in the community?—Yes.

9314a. You find that the influence of the different religious bodies and the different temperance societies has had a beneficial effect in that way?—Yes, especially the religious bodies.

9315a. Is there any statement you would like to make yourself on the question not covered by the questions I have put to you?—No.

By Mr. Clarke :

9316a. With regard to the condition of things in Maine, were you long in Portland?—No. Several days each way on a trip.

9317a. How many days were you at Portland?—Perhaps part of five.

9318a. Did you make inquiries as to the condition of things generally?—Yes. I happened to be there on the fourth of July in the summer of 1884. It being a holiday, when I expected to see drunkenness if at any time, I kept my eyes open. I did see some men on the street under the influence of liquor. I attributed that to the town being a seaport town, and to the difficulty of handling a floating population and making them feel the majesty of the law.

9319a. Did you inquire whether those who were drunk belonged to the class that you would call the floating population?—Yes, I was told that they were pretty much from the sailor element.

9320a. You say that, in the hotel where you were staying, you believe there was a bar where liquors were sold in a clandestine way?—Yes.

REV. WILLIAM HINCKS.

9321a. Was it better to have the sale in that way, than under legal regulation?—Of course, I do not regard the Maine Law as a prohibitory law, and if you ask me if I would be in favour of a law like the Maine Law or the Scott Act, I would say no. Better a good license law than a poor prohibitory law.

9322a. Could you direct us to any country where there is a more stringent law than the Maine liquor law?—I could not, unless the law in the State of Iowa forbids the importation for private use of intoxicating liquor as a beverage.

By Judge McDonald :

9323a. It is not prohibited now?—Then I would not consider the State of Iowa or the State of Maine as having a prohibitory law in the sense in which I believe in a prohibitory law for this country.

By Mr. Clarke :

9324a. Would you prefer a license law similar to that which exists in Ontario to the condition of things that exists in Maine or the condition of things that existed under the Scott Act?—No. I believe, taking the State of Maine as a whole, that there is much less liquor sold there than is sold here, and also that there is much less sold in the State of Iowa except in the city of Des Moines and a few other cities, from what I have heard.

9325a. Could you give us any information as to where we could get statistics with regard to the quantity of liquor sold in the State of Maine?—No.

9326a. Then how do you know as a matter of fact that there is less liquor sold in Maine in proportion to the population than in Ontario?—Only from observation.

9327a. Would the observation you made during the five days you were in Portland and the statements you have seen in the papers enable you to make that statement?—I took my holidays once on the borders of Vermont, taking my trips into the State, and my observation was very much in favour both of the healthy temperance sentiment that I could glean from the people, and of the enforcement of their local option law.

9328a. What places in Maine did you visit?—In and around Newport.

9329a. What is the population of Newport?—I am sure I could not guess. It is a summer resort largely, where there would be drinking. It has a summer population much larger than the winter. It seems to be a town about half the size of this. I may be mistaken.

9330a. Did you see prohibition well enforced in Newport?—Well, it seemed to be difficult to get liquor. Of course, I had not as good an opportunity as some men would have.

9331a. Do I understand from you that you are not in favour of the prohibition that exists in Maine, but rather a more sweeping measure that would prohibit the importation of liquor for domestic use?—Yes, when the country is ripe for it and in favour of it.

9332a. Is the country ripe for it now?—We want to test that. I believe Ontario is ripe for it.

9333a. Suppose some of the Provinces were in favour of it and some opposed, would you favour the enactment of a prohibitory law for the Dominion?—On the principle of the greatest good for the greatest number I would.

9334a. Under that Act, would you prohibit the manufacture of wine and cider and beer by farmers, for their own use?—Most decidedly. If I prohibited a citizen of a town, I would have to prohibit the farmer.

9335a. You would prohibit entirely the manufacture, importation and sale?—Yes.

By Judge McDonald :

9336a. In case of the enactment of such a law would you favour the exemption from its operation of liquor required for medicinal, mechanical and sacramental purposes?—For the first two I would give a categorical answer, yes. For sacramental purposes, I would have it so that the opinion of certain churches should be respected as to the definition of the term wine.

9337a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—In special cases, yes. But where a brewer has so erected his brewery that he could turn it into something else—

9338a. I said plant and machinery rendered useless; you think in that case you would?—Yes.

9339a. Is there any other suggestion you would like to make?—No.

By Mr. Clarke :

9340a. Do you look on licensing as only a little better than free sale?—No, it is a great deal better.

9341a. You do not approve of licensing if you can obtain prohibition?—No.

By Judge McDonald :

9342a. Do you consider the success or failure of the Dunkin Act or the Scott Act as a fair test of a prohibitory law for the whole country?—No, I do not consider it a fair test.

GEORGE INGLIS, of Owen Sound, on being duly sworn, deposed as follows :—

By Judge McDonald :

9343a. Where do you live?—At Owen Sound.

9344a. What is your business or employment?—I am Clerk of the County Court.

9345a. How long have you resided in Owen Sound?—I was born within three miles of here, and have lived here ever since.

9346a. You had experience of the Dunkin Act, then?—I had.

9347a. What was the result of that experience?—Well, the Dunkin Act proved a failure.

9348a. To what did you attribute that?—Partly to the fact that the Act was not enforced.

9349a. Why was it not enforced?—There did not seem to be any person to enforce it. Then the promoters of the Act did not take steps to enforce it.

9350a. Did the sale of liquor prevail to any extent in the community at that time?—I saw more drunkenness during the time the Dunkin Act was in force here than either before or since.

9351a. We have had before us the statistics jail which show that during the two years the Act was in force the number of committals for drunkenness decreased very much. Can you account for that?—No, I cannot account for that.

9352a. We have been told to day that at that time there were disturbances and breaches of the peace of a serious character, in one case the military being called out. Do you know anything about that?—I was here when Mr. Pearce gave his evidence. I have no personal knowledge of those matters: but I wish to correct a statement Mr. Pearce made. I recollect that a bill was prepared and presented to the grand jury in two cases against those parties. In one the bill was thrown out by the grand jury, and in the other case a bill was found, but the case did not proceed any further: and the Crown Prosecutor would not go on with it.

9353a. So that there was no conviction?—No.

9354a. Do you yourself favour the enactment of a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—No, I do not.

9355a. In case of the enactment of such a law, do you think brewers and distillers should be remunerated for plant and machinery rendered useless?—I certainly do.

9356a. Is there any statement you would like to make on this question?—Nothing more than that I think a good license law properly enforced is far better than any prohibitory law that could be passed.

REV. WILLIAM HINCKS.

9357a. Have you had experience of the working of a prohibitory law in any other country?—No. I make this statement only from what I have heard.

JAMES C. MILLER, of Owen Sound, book-keeper, on being duly sworn, deposed as follows:—

By Judge McDonald:

9358a. Where do you reside?—In Owen Sound.

9359a. Are you engaged in business?—No, I am a book-keeper of a firm.

9360a. How long have you resided here?—Thirty-eight years.

9361a. You were here when the Dunkin Act was in force?—Yes.

9362a. What was your experience of the working of that law?—Like a good many others, to a certain extent I found it a failure, there is no doubt about that.

9363a. To what do you attribute its being a failure?—Well, I think there was more than one reason for that. I think, in the first place, had there been a provision that there would have been no opportunity to repeal the Act for say a term of ten years, instead of one year's trial, there would not have been the difficulty in enforcing the Act that there was. I say that for this reason: I feel satisfied that those immediately concerned in the liquor traffic felt that if they could bring the Act into disrepute, it would be much easier to repeal it, and that with only one year they could afford to fight it during that year. But had it been established for ten years, they would not have been able to fight it, and would have been more likely to have given it up at once.

9364a. Do you know whether in Great Britain or any of the colonies there has ever existed any provision, constitutional or by Act of Parliament, by which a law could be adopted with the declaration in it that it could not be repealed for ten years?—No, I cannot say that I do; but I am only giving my own personal opinion now, and I fancy that when they had the power to pass the Act, they could as well make the term ten years as one.

9365a. Were there any other difficulties?—That I think was a very great difficulty. Then, as I think one of the other witnesses has said, there was not the same means of getting convictions that there is with the license law. For instance, if I understand it rightly, under the license law an Inspector can go into a place where he suspects that liquor is being sold, and if he finds liquor on the premises he can take that as evidence that liquor has been sold, and the party is fined. In the other case he could not do that. But those engaged in the business felt, as the people in the olden time, that their goddess Diana was in danger, and they were going to fight for it; and if in that one year they could make the Act disreputable they would succeed, and that was the reason I think why there was a great deal of drunkenness on the street. They were put out at the front door instead of the back, so that people could see them.

9366a. What do you mean by saying that they were put out?—I think that if a man gets noisy, they try to quiet him, and if they cannot, they usually put him out by the back door. They do not like to hang out the sign in the front.

9367a. We were told to-day that during the time of the Dunkin Act men were put into cellars and garrets and kept there until they got sober?—My understanding of it is that in these places where liquor was sold, if they could get a fellow pretty drunk, particularly if he was one of the howling kind, they would put him on the street to let the public see what a miserable thing the Dunkin Act was.

9368a. Are we to understand that in the County of Grey the comparatively few people engaged in the liquor traffic were able to take such steps as forced public opinion to repeal that Act?—I mean to say that they, with their friends. I do not wish you to understand that I think there were none in the county favourable to the liquor traffic but those immediately engaged in it. They had a great many friends, and their friends stood by them.

9369a. In the case of any other law that you know of, is there that state of sentiment in the community that would back up men in such a course as that?—No, for this reason. If I steal a man's goods, that man's neighbour is not interested in having me punished—his money is not at stake. But in the case of two liquor dealers if you shut one up, you will be shutting both up, and they are both interested.

9370a. That is hardly a parallel case; the man whose property is taken is not a criminal, neither is his neighbour; you are putting the man who is prosecuted for selling liquor in the same position as the man who is wronged in the case of the theft?—I mean to say that it is a financial matter to those engaged in the liquor business. If their business is to be broken up, that means financial loss to them, and they and their friends will fight the law differently from any other law.

9371a. If a man's property is stolen, does not that man set the law in motion?—Certainly.

9372a. Did you find in the case of the Dunkin Act that there was any person who cared particularly to set the law in motion?—There were a great many people who would like to see such a law as that, but they were not so strong on it that they would put themselves in the position of informers or get into trouble on account of it.

9373a. Did you find that the man who did take the steps to put that law into force had not the same general sentiment of the community behind him as the man who prosecuted a person for theft?—Yes, I think he had the favour of those who are opposed to that traffic.

9374a. I asked you if he had the favourable sentiment of the community as a whole?—In the one case, he had the favour of those opposed to liquor selling, and of course those in favour of liquor were on the opposite side; but in the case of stealing we are all in favour of the law.

9375a. Is not there a different state of sentiment in the community in regard to theft from what there is in regard to liquor selling?—To that extent there is.

9376a. Do you find that there exists in the community a greater sentiment in favour of the punishment of men who break the license law than there was for the punishment of men who broke the Dunkin Act?—They are not so strongly opposed to a man being punished under the license law, because he would be fined, and his punishment would not interfere with any person but himself; but the other did.

9377a. So that the sentiment of the community had something to do with the question of the efficient enforcement of the Act?—In that sense, yes.

9378a. Have you as a citizen noticed that there has been in the last few years a growing temperance sentiment and temperance habit in this community?—Yes.

9379a. Do you not find that it is getting stronger all the time?—I think it is.

9380a. Do you find that the churches and the temperance societies have been working favourably in that respect?—I think they have.

9381a. Did you notice, after the Dunkin Act came in force, whether the temperance societies relaxed their efforts?—I have not noticed that they did.

9382a. Have you had experience of any other prohibitory law than the Dunkin Act?—No.

9383a. From your observation, are the provisions of the license law well enforced in Owen Sound?—Not so well as they might be. I believe liquor is sold on Saturday night and Sunday in licensed places.

9384a. Have you reason to believe that any illicit sale goes on in town?—There may be a little, but not much. I think there is some. I could not prove it.

9385a. Is there any difficulty in the way of sale to minors?—I think minors get liquor.

9386a. Do you favour the enactment of a prohibitory law that would prevent the importation, manufacture and sale of intoxicating liquors for beverage purposes?—Yes.

9387a. In case of the enactment of such a law, would you favour an exception being made of liquors required for medicinal, mechanical and sacramental purposes?—No, I would not.

9388a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I do

JAMES C. MILLER.

not think they ought to be unless they would indemnify a good many families in the country that have been ruined by it.

9389a. Is there any statement you would like to make yourself in reference to this question?—I noticed when the Collector of Inland Revenue was giving his evidence he referred to the amount of revenue collected on liquors at the time the Dunkin Act was in force. Although he was not here at that time, I think that could be accounted for in this way, that the wholesale men here sold liquors outside of this county to a great extent. For instance, they did quite a business in the County of Bruce and in the Algoma District, right along from the Manitoulin Island to Port Arthur.

By Mr. Clarke :

9390a. Did they do that for two years and then stop?—I did not say that.

9391a. We were endeavouring to account for the sales that dropped off during the time the Scott Act was in force in the surrounding counties?—I mean to say that while some sold here, it was sold outside of the county principally.

By Judge McDonald :

9392a. In such a prohibitory law as you speak of, would you favour an exception being made to allow farmers to manufacture their own wine and cider?—No, I would not be in favour of any such loophole.

9393a. You would have the law prevent all manufacture, private and public?—Yes, stop one manufacture, stop them all.

9394a. Are you in business?—No, I am a book-keeper for a lumber dealer.

9395a. Are the business interests of the community affected injuriously or otherwise by the liquor traffic?—I think a good deal of money goes for liquor that ought to go for groceries and provisions.

9396a. Have you yourself held an official position in this town?—I was a member of the Town Council for eight years.

9397a. During that time had you anything to do with the administration of the fund for the relief of the poor?—I had some.

9398a. What did you find to be the principal cause of poverty and distress?—I think the liquor was the cause generally, either directly or indirectly.

9399a. Was there a hard fight here for the maintenance of the Dunkin Act when it was repealed?—I do not think there was as strong a fight as there was in carrying it. I think they succeeded in making a good many people disgusted with it.

9400a. Did you yourself support the Act at the time of its repeal?—I voted against the repeal.

9401a. You thought the Act resulted beneficially?—I thought then, as I think now, that had it been given a longer time they would have got tired out after a while, and we would have succeeded in maintaining it.

9402a. General Neal Dow, the father of the Maine law, gave evidence before this Commission in which he stated that after forty years experience of that law, he was not yet prepared to advocate the prohibition of importation by private individuals for domestic use. You do not concur in his opinion?—No.

By Mr. Gigault :

9403a. You say the Dunkin Act would have worked better if it had been in force for ten years. The Maine law has been in force forty years, and yet, according to the evidence of the reverend gentleman who was here this afternoon and other witnesses, that law is frequently violated?—Yes; and every other law is. The law against selling liquor would be violated if we had a prohibitory law passed to-morrow, just as every other law is violated to-day.

9404a. What would you say if in Bangor, in Maine, there were a great many places selling liquor openly? Would you call that a violation of other laws?—I would say that, if it was violated openly, the officers who were appointed to enforce the law were not doing their duty, and ought to be replaced by better men.

9405a. But it has been in force forty years, and they have had different officers, and have not been able to enforce it?—We have the different laws violated here every day.

9406a. We had a reverend gentleman before us who had been in Portland, and who told us that he knew that a great many glasses of liquor were sold there every day. Do you know any other law that is violated so frequently and openly? Do you think there are some thefts here every five minutes or every hour?—No, I do not think so, but there is a great deal of stealing all over the country.

9407a. I think you said that if officers had a right to enter houses and search for liquor, the law could be enforced?—I think that would be a great help.

9408a. In Maine the law is such, and the officers do enter houses to search for liquors; and yet, according to that reverend gentleman, the law is openly violated. What do you say to that?—I say as I said before, that they ought to replace the officers by better men whose duty it would be to enforce the law.

9409a. Our duty as Commissioners is to see whether if a prohibitory law is enacted it can be enforced, otherwise we do not reach the end aimed at in enacting such a law?—I suppose, like every other reform, it would take quite a little time to establish it.

9410a. You think forty years is not long enough time?—I think forty years ought to be long enough to test it. I would give it up then, if I did not succeed.

WILLIAM BROWN, of Owen Sound, book-keeper, on being duly sworn, deposed as follows:—

By Judge McDonald:

9411a. Where do you reside?—In Owen Sound.

9412a. What is your occupation or calling?—Book-keeper.

9413a. How long have you resided here?—Thirty years.

9414a. You had experience of the Dunkin Act, I suppose?—I remember it.

9415a. What was the result of your experience?—The result of my experience was that it was not enforced, and that it caused bad feelings, perjury and everything else.

9416a. Was there much drinking in the community?—I think as much as ever, perhaps more.

9417a. Was there much drunkenness apparent?—I do not know that there was any more than previously.

9418a. What business is the firm engaged in, that you are with?—I am not engaged with any firm.

9419a. You carry on your business with different firms?—Yes.

9420a. From your experience with different firms do you find the business interests of the community are affected by the liquor traffic?—I do not think the business interests are. Probably individuals are.

9421a. Have you held an official position yourself in the community?—I am Town Assessor.

9422a. That takes you out a good deal about the town?—Yes.

9423a. Do you find much poverty?—No, not much.

9424a. Taking the poverty you find, is any considerable amount of it attributable to intemperance?—Not to any considerable extent.

9425a. To what do you chiefly attribute it?—It may be to laziness, and some of it to liquor and idleness.

9426a. How do you find the license law carried out in town?—I do not think it is as strict as it ought to be.

9427a. What amendments would you propose?—A stricter enforcement of the law.

9428a. Do you believe the prohibitive provisions in regard to selling on Saturday night and Sunday are strictly enforced?—I do not think so.

JAMES C. MILLER.

9429a. Are those in regard to the sale to minors?—I think they can get it too.

9430a. And Indians?—I would not like to say that.

9431a. You think the law is good enough, but that it is not enforced as strictly as it might be?—The law is good enough, if it were enforced.

9432a. Would you favour a prohibitory law for the Dominion, prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—If I thought it would be effective I would, but I do not think it would be enforced.

9433a. Why not?—It would be the same as the Dunkin Act—what is everybody's business is nobody's business.

9434a. In case of the enactment of such a law, would you favour the exemption from its provisions of liquors required for medicinal, mechanical and sacramental purposes?—Prohibit everything for all purposes.

9435a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Yes.

9436a. Would you favour an exception that would permit farmers to make their own wine and cider from their own grapes and apples?—No exceptions whatever. I would not allow anything to be manufactured whatever.

9437a. It would be absolute prohibition of manufacture, importation and sale?—Yes.

9438a. Did you yourself assist in the passing of the Dunkin Act?—No.

9439a. Did you promote its repeal?—I voted for its repeal. The only thing I had to do with either the Dunkin Act or Scott Act was to look over the petitions that were filed with the registrar for the submission of the Scott Act to see that they were properly signed. There were two petitions, I think, put in. One was rejected for informality. I saw lots of names on it that should not have been on.

9440a. Why?—I do not remember just now.

9441a. Were they people that had not votes?—I do not remember the circumstances, but I know that there was quite a number that should not have been on, and the Government returned that for informalities. They got up a second petition, and in doing so they cut out of the first petition all the names that were formal and pasted them on the new petition without going around for new signatures.

9442a. That is a very grave accusation to make?—I made an affidavit to the Government to that effect. It was palpable. There were the pieces of the old petition cut out and pasted bodily on the other sheet of paper.

9443a. How do you know that they did not go to the parties and get their signatures?—It could not have been done.

9444a. They did get some new signatures?—Yes, they got some, and put on the new petition some names that were not informal.

9445a. What did the Government do with the new petition?—The Government impounded it and would not do anything with it.

9446a. Why did they impound it—because of all of those names on it?—Yes.

9447a. Do you know if another petition was circulated afterwards?—I do not know if a petition was circulated, but I know that a public meeting was called in the town hall for that purpose, and it fell through, I think.

9448a. Is there any statement you would like to make yourself?—No.

REV. JAMES LEDYARD, of Owen Sound, on being duly sworn, deposed as follows :

By Judge McDonald :

9449a. You reside in Owen Sound?—Yes.

9450a. Of what Church are you a minister?—The Church of the Disciples of Christ.

9451a. How long have you lived in Owen Sound?—Three years.

9452a. Has your church made any pronouncement on this question?—Frequently.

9453a. I do not think that has been filed with us : if you would furnish us with that we would be pleased?—I will see to that.

9454a. Does your church hold an annual convention?—Yes.

9455a. How long have you lived in this Province?—Twenty-five years.

9456a. Have you had experience of the working of a prohibitory law anywhere in Ontario?—Only of the Scott Act.

9457a. Where was that?—In the County of Kent.

9458a. How did you find it work?—As satisfactorily as we expected, and better I think than in a good many other places.

9459a. Did you promote the passage of the Act yourself?—Yes.

9460a. Were there any difficulties in the way of its enforcement?—Only the common difficulties which have been mentioned here to-day.

9461a. I find by the record that the Scott Act was adopted in the County of Kent on the 15th of January, 1885, by a majority of 2,393, and that on the 4th of April, 1889, its repeal was voted for and carried by a majority of 1,620. Were you in the county when it was repealed?—I was.

9462a. To what do you attribute the change in sentiment that led to the repeal?—I think the difficulties of enforcement, and notably the untiring attempts made by those interested in the liquor traffic to bring it into disrepute.

9463a. Did you find the effects of the Act to be beneficial?—We found the effects of it to be very beneficial, quite as beneficial as we expected, because with us as temperance workers there the Scott Act never was a favourite measure, but one like many others which the temperance people had to accept or let it go.

9464a. If the effects were beneficial, how do you account for the repeal?—Partly, as I said, to the Act getting into disrepute.

9465a. If the effects of the Act were beneficial, and as beneficial as expected, how could it get into disrepute?—In the manner in which it got into disrepute in every other place.

9466a. How was that?—By the fact that no sooner was the Act passed than you heard on the street and elsewhere a most illogical story that more drink was being sold. This discouraged a large number even of temperance voters.

9467a. If the Act was doing all that was expected of it, that showed itself in effects. Do you mean to say that untrue talk, illogical talk, led people to vote for its repeal, when the facts showed that it had been beneficial?—Yes, that is exactly what I mean.

9468a. Do you know if any attempt has been made to re-enact it in Kent?—Not to my knowledge.

9469a. How do you find the license law carried out here?—I think in a fairly satisfactory manner, so far as I can learn ; but bear in mind that a minister of the Gospel is not a very good witness on that point, because he never sees what is going on.

9469½a. Are you, yourself, opposed to the licensing of the traffic on principle?—Yes, on principle, while admitting that it is perhaps the best thing that we have at present.

9470a. You would not allow your opposition to it, on principle, to lead you to prefer free sale to license?—No.

9471a. Would you favour the enactment of a law that would prohibit the importation, manufacture and sale of intoxicating liquors for beverage purposes throughout the whole of Canada?—Yes, certainly.

REV. JAMES LEDYARD.

9472a. In case of the enactment of such a law, would you be in favour of an exception being made of liquors required for medicinal, mechanical and sacramental purposes?—No.

9473a. In case of the enactment of such a law, would you permit farmers to make wine out of their own grapes, and cider out of their own apples, for their own use?—No.

9474a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No.

9475a. Have you found, as a minister, in dealing with families and others, that any great amount of poverty and distress is caused by intemperance?—Much the largest part, so much so that the thought always comes—it is the drink, and very frequently it is true.

9476a. Is there any further statement you would like to make yourself?—No.

JACOB D. SPEERS, of Owen Sound, dealer in real estate, on being duly sworn, deposed as follows:—

By Judge McDonald:

9477a. What is your business, occupation or calling?—During the last seven or eight years I have been mostly dealing in land and building. Previous to that, for twenty or twenty-five years, I was a cattle dealer.

9478a. What was your experience of the Dunkin Act in the County of Grey?—It was a complete failure, in my opinion.

9479a. In what way?—In this way, that to my knowledge every place in the County of Grey was selling liquor, except two—every place that previously had a license. The two places that were not, were a lunch house at Flesherton, and Lemon's at Annan, about six miles from here.

9480a. Do you know the township of Holland—was sale going on in it?—Yes.

9481a. At many places?—Yes, at every place that there had been before.

9482a. Was there much drunkenness visible at that time?—Yes. There were places in town here selling liquor.

9483a. You travelled extensively throughout the county at that time?—Very extensively.

9484a. Buying cattle?—In the winter, I bought 120 or 125 cattle.

9485a. Did you visit farmers' houses?—Yes.

9486a. During the time the Dunkin Act was in force, did you notice any increase in the use of liquor in houses, compared with the period before or after?—I could not say very much about that, no more than that farmers would frequently take a bottle of liquor home with them; and in travelling on the trains—in these two years, I suppose I went on the trains once a week—I found that liquor would be in the passengers' pockets on almost every train. There was a great deal of liquor drinking on the trains.

9487a. More than before or since?—More than before or since.

9488a. I believe you said there was a good deal of drunkenness on the street?—Yes. It was commonly reported at that time that there were forty places here selling liquor.

9489a. In other places in Grey that you visited, did you ever see drunkenness?—I could not say much about that. My business called me into places that were very chilly and cold, and I often wanted to take a little liquor myself, and I always got it.

9490a. Taking the Dunkin Act as you saw it and the license law as you have it, which do you prefer?—I think the license law is far superior. The reason I say that, is this. If there was a house selling liquor without license, and doing a large trade, the men who pay license would be after it.

9491a. Are there any amendments to the license law that you could suggest?—I think the law we have is a very good law for the temperance people if they would enforce it.

9492a. You think, that if properly carried out, it is promotive of temperance?—
Very much so.

9493a. In travelling through the country, have you noticed a growing temperance sentiment and temperance habit in the community?—Oh, yes, I think there is.

9494a. Do you find that the different religious communities and temperance societies are exercising a beneficial influence in that respect?—I do, and the people are getting better educated.

9495a. Do you yourself favour the enactment of a prohibitory law preventing the importation, manufacture and sale of intoxicating liquor for beverage purposes?—No.

9496a. In case of the enactment of such a law, would you favour an exception being made of liquors for medicinal, mechanical and sacramental purposes?—No.

9497a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I do indeed.

9498a. Is there any statement you would like to make yourself?—Two years ago I was in Iowa, where there is a prohibitory law. I was at a junction called Verdon. I got to the station at about eight o'clock and had to wait till eleven. I inquired of a man if liquor was sold in the town, and he told me where to go, and I went and got some. I have also been at Milton, in the County of Halton, and I saw hotels that had been comfortable homes for travellers dilapidated, and other places selling liquor in back rooms. Before the time of the Scott Act the hotels there were neat, but during the time of the Scott Act the hotels were quite dilapidated.

9499a. We have been told that in Halton during the Scott Act period the assessed value of property had increased and all the houses were occupied except the county jail. Is that your experience?—No. There was a temperance man there who took a hotel and tried to run a temperance house; but he could not exist, and a temperance organization that helped him lost three thousand dollars in the venture. This man told me so himself.

9500a. Did he tell you why he did not succeed?—The farmers would go to some other place to sell their goods, or they would go to some other house where they could get a drink and a meal.

9501a. Did the man try to succeed?—Yes, I think he did. But he could not hold out.

By Mr. Clarke :

9502a. What was the reason he could not hold out—not custom enough?—Not custom enough, and from my experience, the professed temperance men do not go to the temperance houses. They do not in Toronto. Very few go to the Robinson House in Toronto. They go to the Walker House and other hotels, the same as I do.

ROBERT B. MILLER, of Owen Sound, real estate agent, on being duly sworn, deposed as follows :—

By Judge McDonald :

9503a. Where do you reside?—In Owen Sound.

9504a. How long have you resided here?—Thirty-eight years.

9505a. What is your occupation or calling?—Real estate and insurance agent.

9506a. You were here when the Dunkin Act was in force?—Yes.

9507a. What was your experience of the Dunkin Act?—It was, I think, a partial failure.

9508a. Why?—They failed to enforce it. But I think it was a benefit in some degree to the rising generation.

JACOB D. SPEERS.

9509a. You think it was an educator for good, then?—An educator for good, and it took away the temptation from the rising generation, and they did not seek for it.

9510a. How do you mean it took away the temptation. No open bar?—No open bar and no treating. They could get it by going around to the back or into some hole and corner, but as they did not form the habit they did not take that trouble.

9511a. Do you think those beneficial results remained with them?—I think a good deal of the liquor drunk was carried around in flasks by those in the habit of drinking.

9512a. We have been told of a certain amount of lawlessness that prevailed in connection with the enforcement of the Act?—There might have been a certain amount of that, but I did not find that there was much. It did not come under my observation.

9513a. How do you find the license law carried out?—I think tolerably well. There may be liquor sold here in prohibited hours, but I have not seen a great deal of it.

9514a. Do you find that general trade and business is affected to a great extent by the liquor traffic?—I think it is to a certain extent with individual families. There are families in Owen Sound as elsewhere that are cursed with liquor. I know families in this town that have been ruined by whisky.

9515a. Do you hold any official position?—No.

9516a. Do you favour the enactment of a law that would prohibit the importation, manufacture and sale of intoxicating liquors throughout the Dominion for beverage purposes?—Yes.

9517a. In case of the enactment of such a law, would you favour an exception being made of liquors required for medicinal, mechanical and sacramental purposes?—No.

9518a. Would you favour an exception that would allow farmers to make their own wine and cider?—No, decidedly not.

9519a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think so in certain cases; but there are a great many cases in which I would not, because I think a great many people have made fortunes out of the business. I do not think I would remunerate Gooderham, of Toronto, or John Carling, of London. I think if you remunerate them, a great many women and children should be remunerated.

9520a. Is there any further statement you would like to make yourself?—No. I think the Scott Act and the Dunkin Act were largely failures, from the fact that it is impossible to prohibit the sale of an article so long as you license the manufacture of it. I think if the manufacturing of liquor were prohibited, there would not be much trouble in enforcing the law. I think a prohibitory law could be enforced in this country as well as any other law. I do not know why it should not. All other laws on our statute books are not enforced entirely. There is the law against murder, and we read in the papers of murders every day. I think the prohibitory law could be enforced in this country as well as any other law.

CHRISTOPHER A. FLEMING, of Owen Sound, Principal of the Business College, being duly sworn, deposed as follows:—

By Judge McDonald:

9521a. You reside in Owen Sound?—Yes.

9522a. How long have you resided here?—Fifteen years.

9523a. What is your occupation or calling?—Principal of the Business College.

9524a. Did you reside here while the Dunkin Act was in force?—Partly, and partly in the county, at Kilsyth, about seven miles out.

9525a. What was your experience of the Dunkin Act?—That it worked well in the country.

9526a. Do you think the drinking of intoxicating liquors was stopped?—Almost wholly.

9527a. Was there a tavern at Kilsyth?—Yes.

9528a. Was it closed?—Most of the time it was; part of the time it was not. They fought for two or three months after the passing of the Act, but they gave it up.

9529a. After the Act passed, was it closed?—Yes, for a time; but they opened up again.

9530a. To what do you attribute the repeal of the Act?—A great many people voted for it, thinking that it would do away altogether with the sale of liquor, and, when they found that it had not done so, they voted to repeal it.

9531a. They were disappointed?—Yes, disappointed.

9532a. Did you find, after the passage of the Act, that the temperance societies to a certain extent relaxed their efforts?—They did, generally. They thought their work was finished.

9533a. Do you find a growth of temperance sentiment and temperance habit in the community for some years past?—Yes, I think so.

9534a. You find that increasing every day?—I think so.

9535a. As a citizen, have you observed how the license law is carried out in Owen Sound?—Just middling.

9536a. What difficulty do you find in connection with it?—I find that our students sometimes get liquor when they should not.

9537a. On Saturday nights?—Minors, and on Saturday nights.

9538a. Do they get it themselves, or do older persons go in and get it?—When intoxicated they have told me that they got it themselves, but when sober they would not tell me anything.

9539a. Were any of the cases brought into court?—No. We had some Indians, who got it when they wanted it.

9540a. Indians who were students?—Yes. We had six or seven.

9541a. And did they show the effects of it?—I guess they did, to such an extent that they had to be removed—three or four of them.

9542a. You were not able to discover where they had got it?—No.

9543a. Do you favour the enactment of a prohibitory law for the Dominion, preventing the importation, manufacture and sale of intoxicating liquors for beverage purposes?—Yes.

9544a. In case of the enactment of such a law, would you favour an exception being made of liquors for medicinal, mechanical and sacramental purposes?—Yes.

9545a. Would you permit farmers to make wine and cider for themselves?—I do not think they ought to have any rights that others do not have.

9546a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No. They only have twelve months lease of life, and they go into it as a business risk. I do not think that they are entitled to remuneration.

9547a. Have you had experience of a prohibitory law in any other country?—No.

9548a. Is there any statement you would like to make yourself?—No, I think not.

The Commission adjourned, to meet in Toronto, on Monday, October 23rd, at ten o'clock, a.m.

TORONTO, October 23, 1893.

The Royal Commission on the Liquor Traffic met here this day at ten o'clock, a.m.

Present :

SIR JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD,

MR. E. F. CLARKE,

MR. G. A. GIGAULT.

The Secretary read the Commission.

ROBERT J. FLEMING, on being duly sworn, deposed as follows :—

By the Chairman :

9549a. You are Mayor of the city of Toronto ?—Yes.

9550a. How long have you been Mayor ?—About a year and nine months.

9551a. Are you in business ?—Yes.

9552a. What business ?—The real estate business.

9553a. Have you taken any active part in the temperance movement in the city ?—
Yes.

9554a. And what is the result of your observation ? Have you more drunkenness in the city now than you had ten or fifteen years ago ?—I do not think so. I do not think there is so much.

9555a. To what do you attribute the decrease ?—To the efforts of the temperance organizations and the Churches, the improvement in the license law, and the enlightenment of the people upon the question. I think that would cover the ground.

9556a. Do you think the system, which has been in force, of granting licenses and regulating the traffic has had an effect in reducing the amount of drunkenness ?—I think latterly it has.

9557a. Has there been a large reduction in the number of licenses granted in the city of Toronto ?—There has been quite a reduction in the last five years, from 293 to 200, I think. In fifteen or twenty years there has been a decrease of possibly 250 : I am speaking from memory.

9558a. Do you know the number of licenses which are in force now ?—Yes. There are two hundred altogether—shop, tavern and saloon.

9559a. Is that for this year ?—This last year.

9560a. I have had a memorandum placed before me, which states the number to be taverns 151, shops 50, and wholesale licenses, 11, making 212 altogether ?—I was not counting the wholesale licenses. I think the extra one of the 151 tavern licenses was only a temporary license, continued to the end of the year.

9561a. You say that about five years ago there were 293. Prior to that how many were there ?—I judge that they remained at about that number for several years prior ; but fifteen or twenty years ago—I am not just certain as to the year—I think the number would be in the neighborhood of 400.

9562a. That was prior to the Crooks Act ?—Yes, that would be the time.

9563a. Did the Crooks Act have the effect of reducing the number of licenses in the city ?—Oh, yes.

9564a. Are the taverns all required to supply sleeping accommodation ?—One hundred and forty of them are.

9565a. Then there are ten or eleven saloons ?—Yes, I think there are ten places exempt from supplying accommodation.

9566a. Do the saloons supply meals ?—Lunch. I do not think they supply a general meal. I think they are exempt from supplying meals.

9567a. Is it your opinion that the reduction in the number of licenses has tended to reduce the number of cases of drunkenness in the city?—Yes, emphatically.

9568a. May I ask you if you are a total abstainer?—Yes. At least I was before I came into the Council.

9569a. Do you advocate the passing of a prohibitive measure?—Yes.

9570a. For the whole country?—Yes.

9571a. Will you kindly tell us the extent of the prohibition that you think ought to be put in force?—Oh, the importation, manufacture and sale for other than mechanical and medicinal purposes.

9572a. That is, you would prohibit the importation and them anufacture of intoxicants for sale as beverages?—Yes

9573a. Have you paid any attention to the prohibitory law in the State of Maine?—I have heard a good deal of it.

9574a. Is that the sort of prohibition you would like to see put in force here?—It is the same sort of prohibition a little better enforced.

9575a. I am speaking of the law: the enforcement is something else. You desire to see a similar law enacted in Canada?—Yes, complete prohibition, as I understand the law there.

9576a. In the law of the State of Maine, there is nothing to prevent the individual importing for his own use as much as he likes. Would you permit that in Canada?—Import from where?

9577a. Wherever he can get it?—I do not know that I would raise an objection to that just now. It would be a matter to be dealt with afterwards, I think, if the privilege were abused. I do not think it would be. I think if the open saloon were done away with, there would be no objection to the individual importing if he desired it. I do not think there would be much of that done.

9578a. You take the ground that the sanction of the sale of liquor is in itself a wrong, and ought to be put a stop to on moral grounds?—I think it is unwise. I do not know that I would go so far as to say it is wrong. I think it is extremely unwise. Perhaps upon further consideration, I might even go so far as to say that it is wrong.

9579a. Do you think it wrong that the State should derive a revenue from the business?—Well, under present circumstances, I think it is better that a revenue should be derived from it; although under other circumstances I would rather see no revenue at all.

9580a. Would you put duties upon liquor brought in by private individuals for their own use?—I think I would. I would look upon it as a luxury. I would rather tax that and reduce the taxes in some of the necessaries of life.

9581a. The granting of licenses now, of course, rests with the Provincial Governments. If you had a prohibitive law, would you take that power away from them?—There would be no licenses to grant if there were prohibition.

9582a. At present the Provincial Governments regulate all matters connected with the issue of licenses. Would you take that power away from them under the prohibitive system?—No, I do not think I would. I think they are nearer to the people and easier to be got at.

9583a. Then you might have, under the conditions which you favour, the Dominion Parliament passing a prohibitive law preventing the manufacture, importation and sale of liquors, except for medicinal, sacramental and mechanical purposes, and at the same time have the Provincial Governments licensing the sale of liquors?—Well, I should not have that. I should be in sympathy with whichever Government had the most power. I would allow them to deal with it. If the result of the Dominion Government passing a prohibitory law were to leave to the Ontario Government the same power that they have now, then I would say: take that power away from them, and let the dealing with the law be wholly with the Dominion Government.

9584a. Would that not require an alteration of the British North America Act, the basis of Confederation?—That, I could not say. I am not familiar with that.

9585a. Is the prohibition you have described to us that which the temperance organizations are seeking to have enacted for Canada?—Oh, I think so.

ROBERT J. FLEMING.

9586a. Would we be correct in concluding that the Dominion Alliance are at the present time seeking only for the prevention of the importation for sale and the manufacture for sale for beverage purposes, the trading in liquor, and that they do not desire to interfere with the right of the individual to import?—I could not say. I could not speak for the Alliance as to that.

9587a. You have had in Toronto, I think, a considerable reduction in the number of arrests for drunkenness within the last few years?—Yes.

9588a. To what do you attribute that?—I do not think the police are quite as officious along that line as they were a few years ago. I think they are disposed to allow more liberty to an individual under the influence of liquor.

9589a. You think the reduction in the number of arrests is more attributable to that than a diminution of drunkenness?—I think it is due to both causes.

9590a. I understand that some change in the civic regulations was made a year or two ago, by which power was given to the Chief of Police to dismiss a certain class of persons arrested for drunkenness, without bringing them to court?—Yes.

9591a. What do you think has been the effect of that?—It has been very beneficial. That is the unanimous opinion of all the police officers who have had to do with the enforcement of the law. I think that regulation should be extended so as to give the officers a little more power. At present they have only power to release for the first offence. If that power were extended so that they could release for the second or third offence, I think it would be a great improvement.

9592a. Did you give any attention to the working of the Scott Act when it was in force?—I read a good deal about it.

9593a. To what do you attribute the changed sentiment in regard to it, leading to a repeal of the by-laws in all the counties?—To the non-enforcement of the law.

9594a. To what do you attribute the non-enforcement of the law?—I think it is to be attributed, to a certain extent, to the fact that the Ontario Government, for a length of time, claimed that they had not the right to enforce the law, and the Dominion Government took the same ground. Then there were officials who did not do their duty.

9595a. Was that on account of the lack of public sympathy?—I think public sympathy was overwhelmingly with the law: there is no doubt about that.

9596a. In favour of its enforcement?—In the first place, I fear there were a number of outrages committed on individuals who undertook to enforce the law, and possibly that had the effect of preventing others from doing their duty.

9597a. Then, your view is that when by-laws came to be voted on the second time, people concluded that the law would not work?—No, I do not think that. I think they concluded that the law was not enforced.

9598a. But would not the more natural course be to endeavour to have the law enforced rather than to abandon it?—You see the people had only one choice: they had before them the law as it had been in operation the previous three years or the repeal of it, and they said they would rather have it repealed than enforced as it had been in those three years. If the question had been between repeal and the proper enforcement of the law, I think their decision would have been overwhelmingly in favour of the enforcement of the law.

By Judge McDonald:

9599a. What is the population of the city?—Nearly two hundred thousand.

9600a. You have a great many industrial establishments?—Quite a number.

9601a. Employing a large number of men?—A large number of men.

9602a. Men of different nationalities?—Yes.

9603a. You also have a large marine trade carried on here?—Yes.

9604a. Bringing a good many sailors to the city?—Yes.

9605a. You have also, I suppose, a considerable floating population passing through?—Yes.

9606a. Taking all these things into consideration, do you think the character of Toronto, as an orderly and law-abiding city, stands pretty high?—Oh, exceptionally so.

9607a. Have you had experience of a prohibitory law in any other country than Canada?—No; except what I have read.

9608a. I understood you to say that you would not, at any rate in the meantime, object to individuals obtaining liquor from abroad, for private consumption?—I do not think I would. It just strikes me, on first thought, that there would not be much to fear from that. It might have to be dealt with afterwards, though.

9609a. Are you personally acquainted with General Neal Dow?—Yes; I met him some years ago.

9610a. In the official report of General Neal Dow's evidence before this Commission, given in Montreal, I find the following:—

"Q. How is liquor looked after in the State?—It can be purchased, but not offered for sale. If any is offered for sale, it is, of course, liable to be seized.

"Q. So the law does not prohibit the importation of liquor, for beverage purposes, by families?—Not for private use. The law is against the sale, and the keeping for sale, and the illegal prescription.

"Q. Has any attempt been made during the last forty years to take away from the people of Maine this privilege they now enjoy?—No.

"Q. Would you favour an amendment of that kind?—No; the people are not prepared for it.

"Q. What do you understand by the term prohibition?—We understand by the term prohibition that drinking shops are forbidden, that saloons are forbidden, and the sale of liquor for beverage purposes is forbidden, and so on.

"Q. Is there any restriction, under your definition of the term, to be placed in the way of people purchasing liquor for beverage purposes and bringing it in for domestic use?—No.

"Q. You do not favour legislation that would stop that?—No; because public opinion is not prepared for it. In countries like ours, and England, and Canada, public opinion must always be consulted. No matter how important a measure may be, it would be unwise to attempt it very much in advance of public opinion. The law is educational.

"Q. Are we to understand, then, that the prohibition you advocate is a prohibition of the sale?—Yes; and keeping for sale.

"Q. But not prohibition for domestic purposes?—Not prohibition for domestic use.

"Q. You draw a line between the two?—Yes."

Would that express your views at present?—Oh, I think so.

9611a. Carrying the question a little further, we have recently been holding an investigation in the County of Essex, where we find there has sprung up a native wine trade, and the farmers are making wine for their own domestic use, just as in other parts of Ontario farmers are making cider for their own use. Would the law you favour go so far as to prevent these people making wine or cider for their own use?—No; I do not think so.

9612a. You have told the Chairman that you would favour a law for the prohibition of the importation, and the manufacture of liquor for sale for beverage purposes?—Yes.

9613a. That is, you would stop the traffic?—The open traffic.

9614a. In case of the enactment of such a prohibitory law as you support, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—No. You see they are licensed by the year just the same as others, and I think they should take the risk the same as all others.

By Mr. Clarke:

9615a. You said there were some ten or eleven saloons licensed in Toronto?—Yes.

9616a. These are exempt from the requirements of the law as to sleeping accommodation, but give lunches?—Yes.

9617a. Would you favour the extinguishment of these licenses?—No; I would rather favour the extinguishment of the other one hundred and forty, and make them all saloons, separating the sale of liquor entirely from the providing of accommodation for travellers.

9618a. On the question as between licenses for saloons or for hotels, you would abolish the hotel license?—I would rather separate the selling of liquor from the providing of accommodation for travellers, and have the selling of liquor entirely by itself.

9619a. And confine the selling to saloons?—Saloons only. I think they do far less harm. I think the supplying of meals and accommodation gives the liquor selling a standing that its character does not warrant.

9620a. You think the liquor selling should be made disreputable?—That was not the point. I would rather have it stand by itself than be joined with the providing of meals and accommodation.

ROBERT J. FLEMING.

9621a. Then, if licenses continued, you would favour giving them for places where only liquor would be sold?—That is my view.

9622a. And that would necessitate taking the licenses from hotels and restaurants?—It would necessitate their going into some other business.

9623a. They would not be licensed?—I would prefer that a hotel did not have a license to sell liquor.

9624a. You spoke of the causes for the non-enforcement of the Scott Act. In a good many places where we have taken evidence the impression seemed to be that the Act was pretty well enforced for the first six months, and that after that there was a gradual relaxation of effort and the law fell into disrepute. Do you know whether that was because of the difference of opinion as to the power that should enforce the law?—That partly was the cause, and that people's barns were burned down and their lives threatened. That was what I heard.

9625a. Terrorism exercised over them?—Yes.

By Mr. Gigault :

9626a. I think you said that if we had a general prohibitory law, you would want it better enforced than the Maine law?—As I understand it, the Maine law is enforced except in large cities. I understand that in the rural municipalities the law is enforced. That is the information I have.

9627a. Have you gone there?—No, I have never gone there.

9628a. Would you prohibit the importation of liquor for sacramental purposes?—No, I would not prohibit that. We could get our native wine in Essex for that.

9629a. You said you will allow farmers to make wine for their own use?—Yes, all they wanted.

9630a. You said that the Scott Act was repealed because it was not enforced?—I think so.

9631a. Could not any individual prosecute a violator of the Scott Act?—I think so, but an individual did not feel disposed to take upon himself that responsibility. The officers of the law are paid for doing that.

9632a. Was it not the duty of the Inspectors appointed by the Ontario Government to enforce the law?—I think so. There was a difference of opinion about that, if my memory serves me rightly. I think personally they had a right to enforce it. I do not see any difficulty about enforcing it.

By Judge McDonald :

9633a. You understand, I suppose, that the wine the farmers of Essex makes becomes fermented, and that the cider that farmers make also becomes fermented?—Yes.

By Mr. Clarke :

9634a. Where would you draw the line marking where the prohibition of the right to manufacture would begin? Suppose you allowed a farmer to make wine or cider, would you allow another farmer, if he wanted, to make beer?—If he wanted to make it for his family. Then, if in future years I found that privilege abused, I would deal with it.

9635a. And you would allow private citizens to import if they did not manufacture?—Yes, I think so.

By the Chairman :

9636a. Would you allow them to buy grapes and apples and make their own wine and cider?—I would not prevent that at present.

By Mr. Clarke :

9637a. You would allow them to buy apples and make their own cider, but you would not allow the farmer to make the cider and sell it to them?—Yes. I do not think that is an evil we would have to contend with.

By Mr. Gigault :

9638a. How many places were licensed to sell liquors in Toronto before the Croo's Act came in force?—I think in the neighbourhood of five hundred, but I am not just sure of that.

9639a. It reduced the number to what?—I could not just tell. There were 293 licensed in 1886 and 1887, and now they are down to 212.

By the Chairman :

9640a. You have one license to how many people in Toronto?—We have a license to about every thousand of our present population—900 possibly.

9641a. Do you remember what the number of persons to each license is throughout the Province?—I think it is 400 for the first. That is regulated by the law.

9642a. There is nothing to prevent any municipality in the Province reducing the number of its licenses as you have done here?—No.

9643a. Are we to conclude from that that the temperance sentiment is stronger in the city of Toronto than it is in other parts of the Province?—I do not know that the sentiment is any stronger. It is simply a matter of some person taking up the question and dealing with it.

9644a. You think the present system of issuing licenses through Commissioners works satisfactorily?—It does as compared with any any other system I know of—away ahead of issuing them through the municipality, I think.

9645a. Have you much poverty in the city of Toronto?—Not a great deal compared with other cities.

9646a. Do you think the drink traffic contributes to what you have got to any considerable extent?—No doubt of it. I think it is responsible for a great part of it.

9647a. What effect has the liquor traffic on the business interests of the city?—I think its effect upon business is injurious.

9648a. What do you think would be the effect upon commercial and industrial enterprises, of the enactment of a prohibitory law?—I think it would be good.

9649a. Will you kindly explain to us how you reason that out?—The money that people now spend in intoxicating liquors would be spent in the purchase of goods. People would live better, wear better clothes, eat better food, and so on.

9650a. Do you think they would consume in food and clothing the amount of money at present put in circulation through the sale of liquor?—Oh, I think most of the money that is now put in liquor would be spent in that way.

9651a. I think you said you do not favour the compensation of distillers and brewers and those engaged in the traffic?—Yes, I do not see any reason why they should be compensated. They enjoy a yearly privilege. When they got their licenses in the first place, they took their risks with them. I do not see any reason why the community should be taxed to pay them for going out of the business.

9652a. There would be necessarily, of course, a large loss of revenue to the Dominion, the Provinces and the municipalities if a prohibitory law were enacted?—Yes.

9653a. What do you think would be the best method of replacing that revenue?—I judge that while there would be a loss of revenue, there would be a large saving in the cost of keeping up officials and penitentiaries and places of that kind, which I think are largely kept up because of the liquor traffic. And then I judge the purchasing power of the people would be so much greater that I do not think the Government would lose much revenue. People would use more imported goods, and there would be more duty paid on that.

9654a. What class of articles would be more extensively imported that now pay duty?—Woollen goods, for instance.

9655a. Would they not be more extensively manufactured in Canada?—They might be.

9656a. Would the Government, then, derive a revenue from them?—Not from what were manufactured in Canada. People would eat more and better food.

9657a. The Dominion gets about \$6,500,000 from the traffic, and the Provinces about \$1,850,000. I suppose we may assume that if we had a prohibitory law there

ROBERT J. ELEMING.

would be a considerable loss of revenue to commence with. I ask what you think would be the best method of making that up?—I have not given any thought to that at all. That would be the duty of the Finance Minister.

9658a. Do you think it would be necessary to resort to direct taxation?—I do not know indeed. Possibly there are some luxuries that might be taxed.

9659a. How is the local option law working in Ontario?—I believe very satisfactorily, from my knowledge or reading.

9660a. Has the legal question in dispute as to the by-laws been decided?—No, it is before the courts at present. It is now before the Supreme Court at Ottawa. It has been argued there, I think.

9661a. Do you know in how many places local option by-laws are now in force?—I do not.

By Mr. Clarke :

9662a. Would you favour handing over the duty of issuing licenses and keeping surveillance over the licensed places to the Police Commissioners in the cities of this Province, instead of leaving the matter, as at present, with Commissioners who are partizan? Would there be an advantage to public morals and an improvement in the traffic, say in the city of Toronto, if that duty rested with the Police Commissioners?—Speaking for the city of Toronto, I do not think, if the granting of the licenses were in the hands of the Police Commissioners, that they would select better men. I do not think they could. I do not think the world contains a better class of men selling liquor than we have in Toronto. So far as the other Provinces are concerned, I do not know.

9663a. You would not favour any change that would take the issue of licenses out of the present hands and place it in the hands of the Police Commissioners?—I only speak of Toronto. I would not, because I do not think the Police Commissioners would select a better class of men. I think out of the two hundred men in Toronto who are selling liquor there are probably one hundred and fifty who do not touch liquor themselves, and there is not a hotel in the city where a man's life and property are not perfectly safe.

9664a. You think, then, that it is well to keep the traffic respectable?—I think while licenses are granted they should be given only to as respectable men as possible.

9665a. I ask that because in other parts of the Dominion people have said they thought the trade should be made as disreputable as possible?—There is that point also, that the more respectable it is the more people are likely to be in favour of it. While I see that, I would not be in favour of making the trade disreputable.

By Judge McDonald :

9666a. Speaking of the respectable men who are in the business in Toronto, would you be prepared to do away with the traffic they are engaged in?—Oh, yes, if I could do so, I would do away with it to-morrow. I believe the business, as a whole, is thoroughly injurious to the community, and on that ground I would abolish it.

9667a. Speaking of the revenue requirements, in case it became necessary to raise the revenue that would be lost as the result of prohibition, would you yourself be willing to submit to direct taxation?—Oh, yes. They might tax me all they liked for that if that were necessary.

By the Chairman :

9668a. Are there any amendments to the license law that it occurs to you to suggest?—I do not think of anything just on the instant.

HON. JOSEPH E. MACDOUGALL, on being duly sworn, deposed as follows :

By Judge McDonald:

9669a. You reside in Toronto?—Yes.

9670a. You are Judge of the County Court?—Yes.

9671a. How long have you held that position?—Over ten years.

9672a. As Judge of the County Court, you preside at the Court of General Sessions and also the County Judge's Criminal Court?—Yes.

9673a. Have you any large amount of criminal business coming before you?—The largest of any county in the Province; perhaps as large as that of four or five other counties.

9674a. Are you in a position to say whether any large proportion of the crime that has been brought before you since you have been a Judge may be attributed to intemperate habits on the part of the prisoners charged?—I think to a very large extent the crimes that have come under my observation, except those due to sudden impulses of passion, are due to dissipated lives. Of course, there are exceptions. The class who are criminals are those who abuse the use of liquors.

9675a. Take the cases of assault?—We are not charged with very many of those.

9676a. Take larcenies of small things?—Usually the petty larcenies we have to deal with are those committed by men or boys or youths who are growing up as members of the criminal class. Usually their degradation or their peculiar view of morals is largely due to their associations and their habits. Of course, in a large city there is a class who form a criminal centre, and their influence affects others outside of their centre, and enlarges their number from time to time.

9677a. Have you much juvenile crime?—Very little comes before me. It is mostly disposed of by the Police Magistrate.

9678a. Take the cases of juvenile offenders brought before you, can you say whether they are as a general rule children of intemperate people, or whether they themselves have become intemperate in their habits?—I can hardly say that, speaking entirely from my own experience. I should say in many cases it is so, but I cannot recall any marked cases of that kind. Most commonly the juveniles who come before me are intractable boys who are sent to the Industrial School. I send very few to the reformatory. I do not think I have sent over half-a-dozen there since I have been Judge.

9679a. You are a Police Commissioner of the city?—Yes.

9680a. The police force, we understand, is controlled by the Board of Police Commissioners?—Yes.

9681a. Is there any regulation by which the police officers of the city are required to assist the License Inspectors in the discharge of their duty in enforcing the prohibitory clauses of the license law?—They are expected to assist, and their assistance can be asked for and obtained.

9682a. Have you had any experience of the operation of a prohibitory law?—No.

9683a. Do you yourself favour the enactment of a prohibitory law for the Dominion, to prohibit the importation, manufacture and sale of intoxicating liquors for beverage purposes?—No, I do not.

9684a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—That is a very vexed question. It is a question I have really not considered or formed any definite conclusion upon. If it is a business which depends on the sanction of the law for its legality, I suppose those who obtain that may sometime lose it, and it is one of the risks of their business. Still, I have formed no definite opinion on the rights and wrongs of that question, and I would not care to commit myself at present to a definite opinion upon it.

By Mr. Gigault :

9685a. Do you know if drunkenness is increasing or decreasing here?—It is very much decreasing, according to my experience of the last twenty-five years.

HON. JOSEPH E. MCDUGALL.

9686a. To what do you attribute the decrease?—I think it is to the better education of the people and an improvement in the moral tone of our schools and churches and societies of all kinds. There are many benefit and other associations which have exercised a good influence, and it has become less respectable to indulge in intoxicating liquors than it was a few years ago.

9687a. What is the effect on the community of a law being every day continuously violated?—I think it is demoralizing. I think if you pass a law which cannot be or is not enforced, you weaken the attachment which the community should show towards all legal measures, by having a law on the book which is not enforced.

9688a. May I ask the reasons why you oppose a general prohibitory law?—Because I do not think it can be satisfactorily enforced. It would come within the view I have just expressed.

By Judge McDonald :

9689a. Have you tried appeals from convictions for violation of the license law?—Yes, quite a number.

9690a. In cases of that kind have you reason to believe there is any degree of perjury?—That is something which I think every Judge has had a good deal of experience of. I think there is wholesale perjury, and frequently on both sides. I do not think it is confined to the liquor men. There are informers, for instance.

9691a. Comparing such cases with other cases, in which have you experienced the greater degree of perjury?—Oh, there is no comparison. Liquor cases seem at once to open the doors to a flow of perjury, as a rule. I may say I was in practice at the bar when the Scott Act was in force in this county, and was engaged myself in liquor cases, sometimes for those seeking to enforce the law, but more generally on behalf of the hotel-keepers; and I must say I was terribly shocked at the amount of perjury on both sides. The informers would offer themselves to the inspectors in many cases on trumped-up charges; and on the other hand, where hotel-keepers were accused, their friends swore them out of the difficulty. That was my experience at the bar, and I do not wonder that the county repealed the Act, because it was not well enforced; and when the enforcement of it is left to the members of the community at large it is something foreign to the genius of our people to turn informers, and they pay no attention to it. Even the most extreme temperance man, if he saw illegal sale going on under his eye, would not inform on it.

By the Chairman :

9692a. Do you think a prohibitory law is desirable legislation on principle?—I am opposed to all sumptuary legislation which interferes with the liberty of the subject so long as it is not absolutely needed to protect a man against himself. I think we have some statutes on the book which do interfere with it. If a man is addicted to narcotics or liquors to excess, we lock him up, if necessary, to protect him against himself. But apart from cases of that kind, I do not believe in such legislation.

By Mr. Clarke :

9693a. The practice prevails at present of committing to jail, for ten or twenty or thirty days, men convicted of drunkenness. Do you think punishment of that kind has any beneficial effect upon them?—Not after a man has become a hardened subject of the habit. The first conviction may redeem a man, by the shock of the disgrace, if he is strong enough mentally to take the lesson to heart; but after he has become confirmed, I do not think it has any effect in the way of curing him.

9694a. Have you given any thought to the question of treating cases of that kind?—I think if a man has shown that he is an inebriate, I would lock him up. I think it is a disease largely, and should be treated as such, just as much as insanity. I may say my own view is rather in favour of the Government sale of liquor. I am rather in favour of the Swedish system, from what I have read and heard of it. If there had to be a change in the system at all, I would prefer that. It seems to me that if you take away the principle that the party engaged in the traffic shall make profit out of it, you obviate a great many of the evils of the traffic.

By Judge McDonald :

9695a. Under such a system do you believe that liquor of a better class would probably be sold?—Oh yes, a better quality of liquor, and there would be no temptation to encourage those who had acquired a habit, to drink. I think the regulations should be such that, for instance, persons below a certain age, or persons who showed the slightest signs of intoxication, when they come into a public bar, would be refused, and refused because it was necessary to the rules of the traffic. As it is now, the great difficulty of the liquor traffic seems to me to be that the saloon-keepers are desirous of making money. They have to pay large license fees, they have to have extensive establishments to accommodate the public, and their desire is to make all the money they can, so that they are not in a position to care what condition a man is in when he asks for liquor. All that would be changed if the place were a Government institution, and men getting their salaries were selling under strict rules. I have not made a study of the subject, however.

By Mr. Clarke :

9696a. There is a great difference of opinion among witnesses who have testified as to which class of license is the preferable, the hotel or the saloon license, some contending with the Mayor, that the saloon is less injurious than the hotel. If it were determined to abolish one or other class of licenses, which would you abolish?—As far as my judgment and experience goes, I would say : abolish the saloon. That is nothing but a drinking place. The other is a legitimate establishment, where a man, in addition to getting his lodging and food, may get a glass of beer ; and incidentally, I suppose, the bar being there, the general public, if so inclined, may go in and drink, as they are in the habit of doing in every part of the country. But I think the saloon is undoubtedly the more injurious.

HENRY J. GRASETT, on being duly sworn, deposed as follows :—

By the Chairman :

9697a. Your title is Chief Constable, I think ?—Yes.

9698a. How long have you held the office ?—Nearly seven years.

9699a. Can you tell us if in that time drunkenness has increased or decreased in the city ?—Decreased materially.

9700a. To what cause do you attribute the decrease ?—The growth of public sentiment.

9701a. Has a more strict enforcement of the law anything to do with it ?—Not that I am aware of.

9702a. Are the present licensed places well distributed over the city, or have you districts in which there are no licenses at all ?—The dwelling districts of the city have a very sparse number indeed, but sufficient for the local requirements. The trade is more concentrated in the central parts of the city.

9703a. Is there a statement in your reports of the number of arrests for 1880 ?—No. I have only 1890, 1891 and 1892.

9704a. They do not give comparisons with the former periods ?—No.

9705a. I have a memorandum, I think, taken from the reports of the Police Department, which states that the number of arrests, in 1880, was 6,939, and the number, in 1891, 9,884, and in the interim the highest was 11,537—that was in 1889. Have you at any time made a comparison of the ratio of the arrests to the population ?—I have not.

9706a. And you cannot say whether the arrests of all kinds made at present are more in the thousand of the population than they were ten years ago ?—I could not, for this reason, because included in the number of persons arrested or punished are those

HON. JOSEPH E. MACDOUGALL.

who have infringed city by-laws, and the number of those depends on circumstances. For instance, in the winter time, if there is a heavy snowfall, we have to summon people for not cleaning off their snow ; and there are various other things. For instance, there would be a new measure introduced, and at first it would not be strictly carried out, and we would have to see that it was done. The arrests not being distinguished from the summonses, it would not be easy to separate them.

9707a. That would not apply to arrests for drunkenness ?—Only to those charged with drunkenness in the Police Court.

9708a. Do the arrests for drunkenness include them ?—The arrests or summonses for drunkenness would appear before the Police Magistrate.

9709a. In 1892, the total of persons arrested and summoned for drunkenness was 3,657. Does that include all the persons arrested for drunkenness ?—Since the law was passed enabling the police authorities to discharge persons arrested for drunkenness for the first time, the people discharged under that power have, of course, to be deducted.

9710a. According to the statement I have here, in 1880, 2,873 persons were arrested for drunkenness, and in 1891, 3,758. That shows an increase, but not greater, perhaps, than the proportionate increase of the population.

Mr. CLARKE.—The population more than doubled in that time.

By the Chairman :

9711a. Could you prepare a statement for us, showing the number of arrests for drunkenness per thousand of the population, from 1880 down to the present time ?—I think that can be done.

9712a. Have you at any time made a comparison of the number of arrests per thousand of the population in Toronto, with the number per thousand in other cities ?—No.

9713a. Do you know how Toronto compares with Montreal in that respect ?—I do not. I got their report, but I did not analyze it in that way.

9714a. Montreal has an excessive number of licenses—I do not hesitate to say so—while Toronto has a comparatively small number ; and it would be interesting to see how the number of arrests per thousand of the population for drunkenness, in the two places, would compare ?—That would depend partly upon the proportion of the police to the population. If Montreal has more police officers on duty on the streets, the probabilities are that they would see more drunkenness if it existed. Their system is different from ours as far as the police hours of duty, and so forth, are concerned.

9715a. How do you think Toronto should compare with a city like Portland, Maine ? Is there any reason that occurs to you why the arrests per thousand of the population in Toronto should be largely in excess or largely below the arrests per thousand in a city like Portland, which has about 37,000 people ?—Portland, if I am not mistaken, is in a State where prohibition exists. If the difficulties of getting liquor in Portland are as great as they are in getting it in other parts of the State where I have been, I presume there ought to be less drunkenness. The facilities for getting it here are such as to enable any one who wants to buy it, to do so. There, I presume, you would have to know where to go to get it.

9716a. Then, Portland being in a State where a prohibitory law exists, your view is that the number of arrests should be smaller, in proportion to the population, than in a city like Toronto ?—I presume so.

9717a. When was the regulation adopted enabling you to dismiss certain persons arrested for drunkenness, instead of bringing them to the Police Court ?—In May, 1892.

9718a. What has been the effect of that regulation ?—Last year, I think, there were some eight hundred persons discharged by the police. The law works very well. It enables persons who are temporarily overcome by liquor, who are otherwise of good character, to go to their homes as soon as their friends take them away or they are able to go alone.

9719a. Do you think they are less likely to offend again than if brought before the Police Court and fined, perhaps ?—I think a great many cases of drunkenness are accidental, and not likely to occur again in a similar way.

9720a. And you think leniency in such cases would have a better effect than punishment?—Undoubtedly.

9721a. Do you think the liquor traffic adds appreciably to the other kinds of offences committed in the city?—Undoubtedly it does.

9722a. Largely?—Yes.

9723a. What class of offences?—Assaults and crimes that are the outcome of drunken associations and surroundings; young girls, through the neglect of their drunken parents, fall into bad habits—prostitution and larceny; in fact, a great many of the cases on the criminal calendar of that character are, in my opinion, either directly or indirectly connected with drunkenness and its consequences.

9724a. Have you many places of prostitution in the city?—Not many places of public prostitution.

9725a. Is liquor sold in these places generally?—Not if we can prevent it.

9726a. But what is the fact?—It is sold to a limited extent.

9727a. Have you any places where liquor is sold illegally in the city?—A few.

9728a. Can you give us any idea of how many?—I would not like to hazard a statement as to the exact number. I should say that those that are suspected by the police of regularly selling without license, do not exceed a score.

9729a. I suppose you have no sale on the streets by men carrying whisky in their pockets or in their boots?—Oh, the "growler," as it is called, sometimes works, but not on the streets. It is more on the Island and at other public resorts—and at the Exhibition—places of that kind, where there would be some reasonable opportunity of disposing of it. There would be sales made, but very few.

9730a. Is there much poverty in the city that comes under the notice of the police?—Not a great extent; we have a few cases. Directly we hear of a case of destitution we hand it over to the city officials.

9731a. Are such cases as do come under your notice due to the influence of the liquor traffic, do you think?—I think the same remark applies to poverty that I made with regard to crime.

By Judge McDonald:

9732a. Did I understand you to say that there are not many houses of ill-fame in the city?—Not many.

9733a. Has an attempt been made to suppress them?—The policy of the department has been in that direction.

9734a. With what measure of success?—Women of professional ill repute have left the city to a large extent.

9735a. We have been told in the Western States of the Union that the attempt to suppress these places led to the scattering of the evil through the community—single women taking rooms, sometimes in business blocks, sometimes in other places, and sometimes becoming domestics in families, so that the police lost the supervision of them that they had where they were in regular houses of ill-fame. Have you experienced a difficulty of that kind in Toronto?—Yes, I think the amateur element, so to speak, has rather increased, and there is more fornication committed in offices and down-town establishments.

9735½a. We found in the State of Nebraska a system existing by which these houses are kept in one particular part of the city, and the keepers and inmates are required to go to the Police Court or the police office every month and pay a definite sum by way of a fine. You have never had such a system as that in the city of Toronto?—No.

9736a. Do you believe, from the sentiment of the city of Toronto, it would tolerate such a system?—It would not stand it for a moment.

9737a. Would not such a state of things have a tendency to produce a contempt for morality and law in the minds of the people?—I presume it would.

9738a. It would be highly undesirable in any way?—I should say so, unquestionably.

9739a. In criminal cases of the more serious kinds such as burglary, arson, forgery, perjury, do you find that the persons charged are generally men of intemperate habits or

HENRY J. GRASSETT.

otherwise?—Usually men that are addicted to drink more or less, and are found about saloons and places where liquor is sold.

9740a. Are they men who are able to control themselves as to drinking to excess?—The successful criminal requires to keep his wits about him, and if he commits a crime while in a drunken state he is very likely to be caught.

9741a. How are matters in Toronto with regard to gamblers?—Professional gamblers give Toronto a wide berth. We have had very little experience of them of late years.

9742a. You have been able to keep them away from the city as a rule?—Yes.

9743a. What are the habits of those you do have?—They are not drunken men as a rule.

9744a. What is the effect upon a community if a law upon the Statute-book is not effectively carried out?—Demoralizing; calculated to bring the law into disrespect.

9745a. How large a force have you?—two hundred and seventy all told, including myself.

9746a. Is your force at the disposal of the License Inspectors to prevent breaches of the license law, and to bring before the courts persons who may be charged, for instance, with selling on Saturday night and Sunday?—Our force assists the license department in any way they can to enforce the law on that subject, as they do all municipal, Dominion or Ontario statutes.

9747a. Have you had experience yourself of the working of a prohibitory law?—None.

9748a. Do you yourself favour the enactment of a law prohibiting the manufacture, importation and sale of intoxicating liquor for beverage purposes?—No.

9749a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—That is a question I have never given any consideration to; but expressing an unconsidered opinion I should say they were entitled to remuneration.

By the Chairman :

9750a. Do you object to a prohibitory law on principle, or because you consider it impracticable?—I consider that until public sentiment is educated to that point you could not enforce it without increasing the number of officials and making it almost Russian.

By Mr. Clarke :

9751a. But when public opinion is as ripe as that, there will be no occasion for prohibition?—What I mean is the vast majority of the people.

9752a. That is, in order to render it possible to enforce a law of that kind, there would have to be a very strong public opinion as well as an increased force of officials?—Quite so.

9753a. Regarding the treatment of drunkards, do you approve of the present system of sending them down for ten or twenty or thirty days?—I think it utterly fails to reclaim a man of his drunken habits; during the time of his imprisonment he is an expense to the community, and his labour is not allowed to be utilized to any extent.

9754a. Would it be better if there were sanitariums or hospitals for men who are habitual drunkards, where they would be treated as well as made to work?—I think it would be a very desirable move.

9755a. Would you favour the abolition of the saloon license or the hotel license if either had to go?—I do not see why the law should apply to one more than another.

9756a. The hotels are required to provide accommodation and serve meals, while the saloons are practically only drinking places?—A good many of them have restaurants attached to them, and they serve citizens down town with meals.

9757a. I think you said something of the difficulties of obtaining liquor at Portland. Have you ever been in Maine?—I have.

9758a. What experience had you there of the prohibition law?—Only the experience of a guest at a hotel.

9759a. I think you said something about the practice prevailing on the Island of "working the growler." Did that system exist on the Island before the licenses were taken away?—I could not say. There have been no licenses issued on the Island, to my best recollection, since I became Chief Constable. I would scarcely call it a practice. I would say that liquor is occasionally sold on the Island in that way: men would take it over on their persons and sell it to persons they thought it was safe to sell to.

9760a. Is there a good deal of illicit sale on the Island during the summer?—Yes, there was a good deal of lager beer—chiefly lager beer.

9761a. It is claimed that one of the results of the passage of a prohibitory law is to decrease the sale of light beer and other bulky liquors and to increase the sale of spirits. Your experience on the Island has been with lager. Is that owing to the sale being confined to clubs?—The chief reason is that lager is more suitable for consumption than spirits in hot weather.

9762a. It is claimed that lager being more difficult to handle, the result of the adoption of a prohibitory law is that the sale of the stronger liquors increases and the sale of lager decreases on account of its bulkiness?—Of course, it is more difficult to conceal it.

9763a. Has the strict enforcement of the prohibitory provisions of the license law as regards the sale of liquor on Saturday night and on Sunday had any effect on the proportion of drunks before the courts on Monday morning?—The number of arrests for drunkenness on Sunday is a very small proportion of the total; so that if any drinking goes on on Sunday people do not find their way on to the streets. Saturday, generally speaking, may be fairly said to have quite as many cases of drunkenness as any other day of the week. That is accounted for in various ways. It is pay day.

9764a. You spoke of the efforts that had been made to stamp out these notorious and recognized houses of ill-fame in the city. On the whole, what has been the effect of those efforts. Has the condition of affairs been made more satisfactory?—It is a very difficult question to answer. I do not know any subject that is more open to two conclusions being arrived at. The suppression of the houses of prostitution has a beneficial effect with respect to the men from outside points coming into the city—strangers—who want to go to those places: if they do not exist, they of course cannot go to them, and they do not know the places of private resort. The thieves and people of that kind cannot make them resorts for the disposal of stolen property. There are other results that are beneficial. On the other hand, it undoubtedly assists the women who are inclined to lead a loose life to gain a partial livelihood in that way by taking rooms and bringing in men. To what extent that is carried on would be a very difficult matter to say. The police can only surmise, when they see women go into these rooms, that they go there for immoral purposes.

9765a. They cannot exercise as rigid and vigilant a supervision over these persons as they can over the more recognized and established houses?—They could not exercise any supervision over them in a man's office.

CURRAN MORRISON, on being duly sworn, deposed as follows:—

By the Chairman:

9766a. Are you the Clerk of the Police Court?—I am.

9767a. How long have you held that position?—I have held the chief clerkship for nearly four years—since November, 1889. I have been in the office eight years.

9768a. Do all the arrests made by the police come before the Police Court?—Yes.

9769a. Who is the presiding Magistrate in that court?—George T. Denison.

9770a. I suppose you keep regular records of all the cases that come before the Court?—I do.

9771a. And you make a return to the Dominion Government?—I do.

HENRY J. GRASSETT.

9772a. Have the cases brought in by the police decreased within recent years?—Yes, very much.

9773a. Have you any statistics prepared which would give us the number of cases coming before the Court?—I have compiled a statement from 1888 to 1892 inclusive, showing the total number of cases in each year, the number of arrests for drunkenness, the percentage that there are of the total number of cases, and the amount of fines and costs collected.

Year.	Total number of cases.	Arrested for being drunk.	Per cent.	Fines and costs collected.
1888.....	10,905	4,822	44
1889.....	11,587	5,441	47
1890.....	11,194	5,023	44	\$14,240 85
1891.....	9,884	3,758	57	13,698 03
1892.....	8,991	3,657	40	11,142 20

1891 was the first year I had charge of the books.

9774a. There was a very large reduction in the number of cases of drunkenness in 1891 as compared with 1890. Was there any change in the system of making arrests and bringing offenders before the court which would affect the figures?—Yes. In the latter part of 1890 provision was made for the constables to discharge prisoners who were brought before them for the first time, but I may say that those are included in this statement in every case, simply because they are entered on the calendar and marked "discharged by Inspector So-and-so" or "Sergeant So-and-so." They are taken into account just as if they had been discharged by the Magistrate.

9775a. Then the alteration in the system would not really affect the figures?—It would not affect them at all.

9776a. Shall we be correct in concluding that the great decrease is due to a diminution of drunkenness, or the community becoming more temperate?—Yes, it would appear so.

9777a. And that has continued in 1892?—Yes.

9778a. Up to what period is this return made?—December, 1892.

9779a. Suppose the police bring into court a man charged with committing an assault, and it is discovered in the course of the investigation which ensues that he was drunk, would the charge of drunkenness be added?—No.

9780a. He would be only tried on the charge brought by the police?—Yes.

9781a. And there would be only one conviction and one fine?—Yes. I might state that if the opposite were the case, for instance, if John Smith was drunk and struck a citizen, and he was arrested for being drunk, the citizen would be at perfect liberty to lay a charge of assault. That generally appears on the information, that he assaulted somebody, and then we ask the citizen if he wishes to prosecute for assault, and if he does we lay the information.

9782a. Are the amounts given in this statement the total amounts collected by the Police Court?—Yes.

9783a. And there is no other court collecting fines?—No other court.

9784a. Then the whole of the fines collected by the city of Toronto are represented by these figures?—They are.

9785a. Eliminating the cases of drunkenness from the number of cases of all sorts that come before the court, can you say if many of the other offences result from intemperance?—Some of them do.

9786a. A large proportion?—I would not say the majority of cases.

9787a. That is to say, you do not think fifty per cent do?—No. I think fifty per cent would be the limit, that is, of the more serious crimes.

9788a. What do you include under that term?—My experience has been that in the majority of cases of burglary, and where violence takes place, and where a great deal of cunning has to be employed, those men as a rule do not drink.

9789a. What about cases of petty larceny?—I think a great deal of that may come from drunkenness, people picking up articles from the front of stores, and so forth, while they are drunk, and some of them do not know that they have done it.

9790a. Assaults?—I think a great many assaults come from drinking, men gather together and drink and have a row. There are a good many cases of that description.

9791a. Assaults on females?—No. I think that is a vice by itself—apart from drinking entirely.

9792a. Have you given any thought to the question of prohibitive legislation?—I cannot say that I have gone into it very deeply. I have my own opinion about it.

9793a. Do you think it would be a desirable thing for the Dominion Parliament to enact a prohibitive measure?—I would go in for the prohibition of ardent spirits myself, that is, whisky and brandy.

9794a. Would you prohibit beer and wines?—No; nothing but whisky and brandy.

9795a. Do you think a law prohibiting the manufacture and importation of ardent spirits could be effectively carried out?—I think it would be very hard to do it.

By Judge McDonald:

9796a. Do you find much drunkenness among women in the city of Toronto?—Quite a little.

9797a. Have you much juvenile crime?—Yes, there is quite a lot of crime amongst juveniles.

9798a. Are many children brought to the Police Court?—A great many.

9799a. To what do you attribute the fact of there being so many?—I attribute it to their general surroundings, the way they are brought up, the lax way parents have of letting their children run around loosely at night, the reading of dime novels and trash of that kind.

9800a. Is it to be attributed, then, to the customs of the day in regard to home life and the government or non-government of children?—Yes, there is no doubt about that.

9801a. Misgovernment, I suppose, in some cases?—Yes, and the general disregard for the Sabbath. I think all these things lead up to crime.

By Mr. Clarke:

9802a. Did you say there was an improvement, though, generally during the last five or six years?—I think there is.

9803a. To what do you attribute the improvement?—Certainly the institutions of the city are doing a great deal of good.

9804a. That is, the churches, the temperance organizations and so on?—And general charitable institutions.

9805a. Do you approve of the present method of treating drunkards who are brought before the Police Court—if they are convicted and cannot pay their fine, sending them to jail for ten or twenty or thirty days?—I do.

9806a. You could not suggest any method that you think would be an improvement?—Well, our practice in the Police Court is this: If a man comes up there who is not, so to speak, a regular customer of ours, and he is pretty shaky with liquor, we remand him for a week, and he gets the proper treatment in the jail hospital if he needs it; and when he comes back he always looks very much improved, and in nine cases out of ten he is discharged without being fined at all.

9807a. Take the chronic drunk—do you think the treatment he receives of being committed for ten or twenty days is beneficial?—I do not think it does them any good.

9808a. What would you suggest should be done with them?—For one thing, I do not think they have enough work to do when they are committed. I think it would have a wholesome effect if they were kept busy—not too hard work.

9809a. Would you favour the establishment of institutions—dipsomaniac hospitals or asylums—to which these chronic drunks would be committed for definite periods, and where they would receive suitable treatment?—Yes, I would favour that.

9810a. You think that would help to reclaim them?—Yes, I think so.

By Mr. Gigault:

9811a. Could you give us the number of convictions for drunkenness in Toronto for a few years before and after the Crooks Act came into force?—I can get it up for you.

CURRAN MORRISON.

9812a. Do you think the number of convictions for drunkenness decreased after the Crooks Act came into force?—It has been decreasing for the last five years, but I cannot say that it has been owing to the Crooks Act.

9813a. The Crooks Act had the effect of decreasing the number of places?—Yes, but I think the decreasing of the number of places where liquor is sold has not the effect of decreasing drunkenness.

By Mr. Clarke :

9814a. How is that?—I think it does not make very much difference how many places there are. If a man is a drinking man and wants a drink, it does not make any difference whether he walks one block or two blocks for it.

9815a. Do you think it decreases the amount of drink consumed?—Yes, if it is too far away.

By Judge McDonald :

9816a. The Chief of Police told us that in your city there are districts in which the number of licensed places is very sparse. Multiply the number of places in those sections, and do you think there would be more liquor consumed?—Oh, yes, I dare say many a man would drink there who would not if it were not so handy.

THOMAS HAZZARD, on being duly sworn, deposed as follows:—

By the Chairman :

9817a. Your position is that of Superintendent of Industrial Schools?—Yes, the Victoria Industrial School.

By Mr. Clarke :

9818a. How long have you held that position?—A year and six months.

9819a. Where are the schools located?—At Mimico.

9820a. That is on the western boundary of the city?—Yes.

9821a. How many pupils are there in the schools?—One hundred and ninety-one at present.

9822a. How are the schools maintained?—We got a Government grant, and we get two dollars per week for each pupil from the municipality or the parent that sends them. Sometimes the whole is paid by the parent.

By the Chairman :

9823a. You say "we" get; is it a corporation?—Yes, it is a company. It is under the auspices of the Toronto School Board, and a Board of Management that is appointed.

By Mr. Clarke :

9824a. Who is the President of the Board?—Judge Proudfoot. Mr. Howland is Chairman of the Board of Managers; the others are only honorary members.

9825a. Mr. Howland, then, would be the person to whom we should look for information regarding the purposes and aims of the institution?—Yes.

9826a. Are the children who are sent to the industrial school taught trades?—They are not taught trades in the ordinary sense of the word. They make their own clothes and boots and work at carpenter work. Our aim is not to teach the boys a trade. They are supposed to be incorrigibles, and our aim is to discipline the boys and make them handy.

9827a. The boys are committed until what age?—Sixteen years of age.

9828a. Have the Board of Managers complete control of the children until they reach the age of sixteen?—Yes.

9829a. Can they send them to the homes of farmers under a written agreement for any length of time?—Yes, for any length of time until they are sixteen, and bind them to trades until they are sixteen.

9830a. I suppose these schools were established for the purpose of finding homes for these incorrigibles, where they would be under strict discipline with a view to their reformation?—Yes.

9831a. Have you made any study of the habits of these children, or the causes which have brought them to be confined in these schools?—Not a great deal.

9832a. Do you know what percentage of the parents of these children are addicted to the excessive use of liquor?—I have just been looking over the record, and I find that since the school started five or six years ago we have had 358 inmates, and the parents of 104 of these are addicted to drink. I am not prepared to say that they are all drunkards, but they drink.

9833a. What about the other 254?—Of these there are about fifty or sixty that we could not find out about. Then there are some of these children that have no parents at all, that are illegitimate, and some of them are orphans.

9834a. In what way did you obtain the information about the 104?—By asking the children and from our own observation. The parents are allowed to visit the institution once a month. Often, too, I would visit their homes when in the city; and we have a lady visitor who visits the homes; and we now have a gentleman, Mr. Atkinson, who is employed to get places for the children and see what kind of homes they have.

9835a. Do you find that the children of many total abstainers are inmates of the School?—I could not say how many of them are total abstainers.

9836a. Are there any?—I think so. I know that some of the parents are very respectable people, and not given to drink at all.

9837a. What is the expenditure for the maintenance of the school, every year?—Somewhere in the neighborhood of \$20,000.

9838a. Have you given any thought or attention to the question of the enactment of a prohibitory law?—No, I have not lately. In fact, I have given very little thought to any public affairs out of my own business.

9839a. You are not prepared, then, to express an opinion on that matter?—Only my own conviction.

9840a. What is your own conviction?—That we should have prohibition. But I have not given the question any study in any way. In fact, I study very little except what concerns our own institution.

9841a. Have you got any figures or statements showing what the results of the treatment of the boys in the Home have been? Can you trace the boys after they leave?—Yes, we have made inquiries, and are making inquiries now. Last year when our reports all came in, there were eighty per cent of the children that we had let out, some 115 or 120, who were doing well.

9842a. How long had they been sent away from the Home?—Some of them two years, some a year, and some probably a year and a half.

9843a. Have you had any statement showing the nationality of the children?—Yes.

9844a. Do you recollect whether most of them were born in Canada or were immigrants?—I do not.

9845a. Do you publish an annual report?—We do.

9846a. Do they contain this information?—No, not the nationality. But I have a record of the nationality. We shall be getting out a report in about a week or two.

9847a. Will that report contain the nationality?—I could put that in.

9848a. We would be glad to know whether these children are sent out here, and find their way into homes of this kind?—Most of the children are born in Canada.

By Judge McDonald:

9849a. You have spoken of having children of respectable parents. Have you had cases where the father is dead, and the mother has found herself unable to manage a boy, and he is sent to your institution to be taken care of?—Yes, and we have a great many cases where there is a stepfather or a stepmother.

THOMAS HAZZARD.

9850a. And you have cases, I suppose, where the parents have been imprisoned for some offence, and the children, having no one to take care of them, have been sent to the institution to be kept there?—Yes, we have several of those.

9851a. You, have spoken of the institution being supported by Government grant and by contributions from the municipalities that send children there. Is there also money received by subscription?—Oh, yes, there are donations. For all the changes we are making in the buildings we have to depend on charity.

9852a. You send out appeals to the general public from time to time, asking for assistance?—Yes.

9853a. The work is really a work of charity and mercy?—Yes.

9854a. Supplemented by the Government grant?—Yes.

9855a. And the municipalities ordered by the courts to pay two dollars a week for the keep of the children sent there?—Yes, for board and lodging; that covers everything.

By the Chairman:

9856a. Must a child have committed some offence before being sent to the School?—Not necessarily. If he is a persistent truant, or is incorrigible in the public school, or if the parent makes affidavit that he is not able to control the child, that he is incorrigible, that he is in bad company, and that he is afraid the child will grow up to be a criminal.

9857a. Is it a necessary preliminary before a child is sent to the School that there must be an order of some court sending him there?—Yes, a Police Magistrate or a Judge.

9858a. In every case in which a child is committed by order of a court, does the municipality pay two dollars a week?—No. We look to the municipality from which the child comes for the care of the child; but if the parent is able, the municipality can collect from the parent. But in a great many instances the parent offers to pay half; in some instances they pay it all, and in other cases they pay fifty cents a week, as they feel able.

9859a. Then you have a regular charge for the maintenance of these children?—Yes, two dollars a week.

9860a. Then you clothe and feed them?—Clothe and feed them all.

9861a. On what principle is the Government grant made?—The grant we get now from the Government is ten cents per day per boy.

9862a. For all the boys in the institution?—Yes, for all the boys that are in the institution—not for the boys that are out.

9863a. The decision of the question whether it is proper to offer a boy to go to some tradesman to learn a trade, or to go to a farmer or somewhere else, rests with the management of the school?—Yes.

9864a. When a boy is sent away to learn a trade or farming, does the school still collect an amount from the municipality or Government in respect of him?—No, it ceases then. For instance, we send a boy of fourteen to a farmer: we charge the farmer sixty dollars a year for the boy and we clothe him. That money is paid to me or the Board of management, and it is kept for the boy, and we perhaps bank the money when he is sixteen years of age, and he gets the money when he is eighteen.

9865a. That is, so much as may not have been expended for clothing for him?—Yes.

9866a. You provide him with clothing in the meantime?—Yes.

9867a. And as soon as the boy goes out from the institution, the municipal and Government grants cease?—Yes.

WILLIAM H. ORR, on being duly sworn, deposed as follows:—

By the Chairman :

9868a. You are the manager of the *Ætna Life Insurance Company*?—Yes.

9869a. Have long have you held that position?—Nearly twenty-eight years.

9870a. Have you been a resident of Toronto all that time?—No, not all. I lived about twelve years of the time in Montreal; I had charge of the whole business. I have been fifteen years in Toronto, in charge of the western half of the Dominion; although I lived in Toronto previous to being connected with this company. This is my native place—this neighbourhood.

9871a. Have you taken any interest in temperance questions in the city since you came here?—Yes, I have always endeavoured to do something to benefit humanity in that line.

9872a. Do you hold any position in connection with any organization engaged in temperance work?—Yes, four or five different ones. Principally, I guess, in the Dominion Alliance; also in the Metropolitan Methodist Church in this city, which is considerable of a temperance organization. Thirdly, in the Law and Order League of the city. Fourthly, in the Central Lodging House Association. Fifthly, in the Toronto Coffee House Association. Then, since my boyhood I have always been an active member of the organization known as the Sons of Temperance of this country.

9873a. Do you think there has been any decrease in recent years in the number of cases of drunkenness in the city?—I think there has, according to the records of the Police Court. I may say my office is near the Police Court, and I drop in there occasionally.

9874a. Do you think there is as much consumption of liquor now as there was fifteen years ago in Toronto, in proportion to the population?—I do not know.

9875-76a. But you think there are fewer cases of drunkenness?—There are probably fewer cases of drunkenness in proportion to population than there were.

9877a. There has been a large reduction in the number of licenses issued, do you think that has contributed in any degree?—I think it has, very considerably.

9878a. Do you consider that a step in the right direction?—I certainly do.

9879a. I suppose that has been brought about by the sentiment of the people of Toronto?—Yes, largely.

9880a. Other municipalities have power to reduce the number of their licenses just as much as Toronto?—Yes.

9881a. Do you remember the ratio of the license to the population in Toronto, and what it is throughout the Province generally?—Only in a general way. There is a certain limit fixed by the Crooks Act, and a good many of the towns and villages throughout the Province issue as many as the Crooks Act allows them. I should say, however, that the majority do not. Toronto is one of the places that are below the limit; it is a long way below it.

9882a. How many inhabitants to one license are there in Toronto?—About a thousand inhabitants to each license. Our population is nearly two hundred thousand, and we have only two hundred liquor-selling places.

9883a. Throughout the whole Province do you remember how many people there are to each license?—No, I have not made that up closely; but most places in the Province are below the limit on account of the temperance sentiment of late years.

9884a. Do you consider that the present system of issuing licenses works satisfactorily? I am speaking of it, not as against any other method of dealing with the traffic, but as a license system?—As a license system I do not know anything better on this continent. The only other system is high license, and I do not think that is an improvement.

9885a. It is rather with reference to the mode of granting licenses that I am speaking. It is in the hands of the Government to a certain extent, which is not a system prevailing in other Provinces?—I have not any suggestion to make as to the present system of issuing licenses.

WILLIAM H. ORR.

9886a. Do you think drunkenness and the consumption of liquor have decreased in the Province generally?—I think both of these have decreased considerably, and licenses also have decreased. The demand for them has decreased throughout the country.

9887a. Are you in favour of the enactment of a prohibitory measure?—Certainly.

9888a. Would you kindly tell us the character of the measure you would like to see enacted?—Well, something that comes as near total prohibition as possible. There are various statutes on the subject in different parts of the country—some of them a little different from others. But I am not a member of Parliament, and do not have to turn my attention particularly to the framing of the details of a law, and therefore I do not know that I could give you any valuable information as to the details. But the general object aimed at is to suppress the entire traffic in intoxicating liquors, and stop the drunkard making business that is now going on.

9889a. Are you familiar at all with the law in the State of Maine?—Not as to its fine details, but as to the law generally. I have been through the State.

9890a. Would you desire the enactment in Canada of a similar law to that which prevails in the State of Maine?—Certainly, if we could not get anything better.

9891a. What would you consider better?—I think we need here what they have not there—the stopping of the importation of liquor for any use whatever as a beverage. I think it would have to be manufactured by the Government for medicinal and scientific uses; but I am only interested in seeing prohibition carried out in the matter of its use as a beverage and in the matter of the manufacture of drunkards. That is the trouble I have with it. I have suffered from it in my own family.

9892a. Do you look upon the selling of liquor as a moral wrong?—I think it is, for beverage purposes.

9893a. Do you take the same view of the matter of the Government deriving a revenue from the liquor traffic?—I think that is all wrong.

9894a. Is that in your view a sin—an offence against the moral law?—I cannot come down to fine points about that. Some people's consciences are thinner than others, but I think it is all wrong for the Government to derive any revenue from any such bad business as that or prostitution, putting them together.

9895a. Can you tell us what the platform of the Dominion Alliance on this question of prohibition is?—In brief, simply the total suppression of the traffic in intoxicating liquors for beverage purposes.

9896a. Does it extend to prohibiting the individual from getting what he requires for his own use?—We do not have anything to do with that whatever. We do not take that into account at all.

9897a. Then the Dominion Alliance would permit the importation and manufacture for private use—not for sale or trade?—For private use in the arts and sciences.

9898a. No, but for beverage purposes?—No. At least we have no rule that comes down to that. We are working for what is before us, endeavouring to lessen and do away with this evil of drunkard-making, and the details of the law when it is finally adopted are something we have not taken up for consideration or gone fully into.

9899a. I understand the Dominion Alliance and some other temperance organizations to be urging the passage of a prohibitory law by the Dominion Parliament. I am anxious to know what kind of a law they desire should be passed—to what extent they think the prohibition should be carried, because that has a very important bearing on the practicability of the scheme?—My view is this. The condition is so very bad at present that a prohibitory law of any sort almost, properly enforced, would reduce the evil very greatly; and that as the evil was reduced by the prohibitory law from year to year, those other fine considerations would naturally come up for consideration, and the law might be amended in this, that or the other direction in the course of time, when the great evil of drunkard-manufacturing was first pretty generally put out of the way. As an Alliance we do not trouble ourselves with what may happen ten, fifteen, twenty or thirty years from now, but we trouble ourselves with the terrible evil we see around us, and we want to see it limited to as small an amount as possible.

9900a. Shall we be correct in concluding that the Dominion Alliance want to prohibit the use of liquor for beverage purposes?—That is practically the only thing we are banded together for.

9901a. Remember, we have to deal with the present?—If you wanted my own private opinion, it would be that that should be a feature of a prohibitory law—the prohibition of the importation of any quantity for beverage purposes. Unless a man could take his oath or in some way prove that the five-gallon cask that he was bringing across the border was intended for scientific or manufacturing or church or medicinal purposes, that liquor should be seized. That is my own private opinion. As a Dominion Alliance we want to get a law in the first place.

9902a. Suppose the importation for personal use were permitted, would you put duties on that which was imported?—No, I think that would be very improper.

9903a. Then if no duties were imposed, that would be practically free importation?—Yes, if it is permitted to come in at all, it should come in free.

By Mr. Clarke :

9904a. For those purposes that you have named?—Even for beverage purposes. I do not think it would be right for the Government to have any interest in promoting a large importation for private use. I think that would be wrong—using the word wrong in a general sense.

By the Chairman :

9905a. Then, if a prohibitory law were passed which prohibited the importation and manufacture for sale, but permitted the importation and manufacture for private use for beverage purposes, your view is that neither on that which is manufactured nor on that which is imported should any impost be placed by the Government?—Yes, especially if it were permitted for beverage purposes. I do not say anything about its manufacture for mechanical or medicinal purposes. It would be just as legitimate for revenue in that case as the manufacture of tobacco or any drug made in the country. It would be just as legitimate to collect a revenue from it so long as it was made and sold for those legitimate purposes.

9906a. Is it your view that under a law which prohibited the importation for sale for beverage purposes and at the same time permitted the importation by the individual for his own use free of duty, there would be a reduction in the consumption of liquor and intemperance?—I think there would be a very large reduction under such a law. I think that part of the law might be very safely left to the future.

9907a. Do you know of any country where there is in existence or has been in existence a prohibitory law of the character you refer to—that is, prohibiting all importation or manufacture except for medicinal or mechanical purposes?—I do not know. I am not acquainted with the details of the different laws. I know there is prohibition of some sort in force in Maine and in Kansas and in Iowa, and there has been in some other States and in our own North-west Territories.

9908a. Of course, in the State of Maine the importation for private use for beverage purposes is permitted, and the State cannot prevent it, and this Commission, in a recent visit to the State of Maine, had evidence placed before it that there is a very large importation. Have you given any attention to the operation of the law in the State of Maine?—Oh, yes, somewhat; and I understand that some of our temperance friends consider that a weakness of their law. Still, the law has been in operation there some forty-five years, and has been amended several times, and I do not know for what reason they have not amended it in that direction.

9909a. You mean in the direction of preventing personal importation?—Yes.

9910a. I think it is a matter the State cannot deal with: it belongs to the Federal authority?—I do not think the Federal authority has anything to do with importation from one State to another.

9911a. Oh, yes, they have, because they regulate inter-State commerce?—I think it was finally settled in the case of the original package question in Iowa that the State had the power to stop the importation at the State boundary.

9912a. Do you know of any country or Province where a law prohibiting the manufacture and importation of liquor of all kinds exists?—Of all kinds and for all purposes—I do know of any such law as that.

WILLIAM H. ORR.

9913-14a. Do you know of any place where liquor of all kinds, except for medicinal, mechanical and sacramental purposes is prohibited?—I think that is what they aim at in all those prohibitory countries.

9915a. Do you know any country where such a law is in force?—I cannot say that I am acquainted with the details that fine.

By Mr. Clarke :

9916a. That is the point on which hinges the whole question—the right of the individual to bring in liquor for his own use?—I do not think a prohibitory law necessarily hinges on that. We may have a prohibitory law that will do away with most of the evil we complain of, without seizing what a man may bring in his pocket for his own use.

By the Chairman :

9917a. We had a statement made to us a short time ago that there was complete prohibition in the Fiji Islands. I have taken some trouble to inquire into the accuracy of that statement, and I find that the prohibition extends to the selling or giving to natives of intoxicating liquors—very much like our law with respect to our Indians. If you know of any place where such a law exists, we would like to make inquiries in regard to it?—I could not enlighten you on that particular point.

By Mr. Clarke :

9918a. You say the trend of this prohibitory legislation is to prevent individuals bringing in liquor for their own use?—That, I think, will come about eventually; but I think that is not the question now.

9919a. Then the prohibition you are aiming for is prohibition of the importation and sale for beverage purposes?—That is the main point. The other will come in the course of time, I believe. If the bringing in of liquor by people for their own use is found to be a great evil, that also should be eradicated; but that is not the evil before us just now.

By Judge McDonald :

9920a. You say the law you are seeking for is one to prohibit the importation, manufacture and sale for beverage purposes; but that is too wide a term if you allow people to bring any in for beverage purposes. Do you not mean the importation for sale?—That is true. The title of the law would seem to cover it.

9921a. It is too sweeping a title if you mean to exempt the things you have mentioned?—I do not think the title is too sweeping, because I think that is what will have to come eventually.

9922a. It is too sweeping for what you ask for?—Yes, because we would be glad to have the first step carried out by the Dominion.

9923a. I understood you to put the liquor traffic and houses of prostitution on the same footing?—Yes, I regard them as twin evils.

9924a. His Worship the Mayor has told us this morning that a certain number of the men engaged in this traffic, I think 140, are total abstainers, and what he would call good men, or words to that effect. Do you mean to put these men on the same footing as persons who keep houses of ill-fame or prostitution, either individually or as to the places they conduct?—In the first place, I would like to hear the Mayor say that.

9925a. Taking the character of the men holding licenses to sell liquor as described by the Mayor, would you put their places and houses of ill-fame on the same footing?—In some respects I would, others not. They are both very bad businesses to be carried on, neither of them doing any good for our community. They are not to be put in the same category as a shoemaker or any person who manufactures any useful article. They are both to be put in the category of great waste and crime-producing agencies.

9926a. In case of the enactment of such a law as you have spoken of, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I would have no objection to put their demands on one side and put the demands of the individuals that have been injured on the other side.

9927a. Will you please give a direct answer to the question : whether you would deem it right, in the event of the enactment of such a law, that brewers and distillers should be remunerated for plant and machinery rendered useless?—Certainly not.

EDWARD TAYLOR, on being duly sworn, deposed as follows:—

By Mr. Clarke :

9928a. You are the City Relief Officer?—Yes.

9929a. Under the Mayor's orders you distribute relief and attend to the wants of indigent people throughout the city?—Yes.

9930a. How long have you held that position?—About eight years.

9831a. The discharge of the duties of your position brings you into contact with a good deal of poverty, sickness and suffering?—Yes, I see a considerable amount of it in my visits to the homes of people.

9932a. You might tell us what your duties are?—All applications made to the Mayor for assistance I have to deal with. In many cases I am called on to visit the homes of people, and although I have not the power of dispensing charity, I give orders to the different organizations that receive grants from the city : and in my visits to the homes of these people I have the opportunity of judging very largely of the causes of their suffering and poverty.

9933a. Having these opportunities of visiting the homes of poor people, what conclusion have you come to as to the causes that lead to poverty and distress?—One great cause is idleness, drink is another, sickness, old age, and want of employment. I think these are the principal things.

9934a. Do you know if the people whom you are called on to relieve from time to time are in any large numbers in enforced idleness through not being able to obtain employment?—Oh, yes, a very great number, particularly in the winter season.

9935a. Have you found that inability to procure employment, especially when the person has a wife and family, dependent upon him, causes him at times to become reckless and to endeavour to procure liquor?—In many cases it does, no doubt. In a great number of cases in which the husbands have left their families, I think perhaps they cannot bear to be with them and see them in want. There are a great many cases in the city in which the wife and family are left, and the husband has gone off to endeavour to find employment elsewhere.

By Judge McDonald :

9936a. In giving evidence before us at Woodstock, the Governor of the jail of the County of Oxford stated to us, in reference to the criminal cases that came under his notice, that there were three principal causes of crime—first, idleness ; second, drunkenness ; third, sensuality. I think he put them in that order. How would that accord with your experience?—I think it would be just about my own idea of it. Idleness first leads to drinking.

9937a. In making the inquiries you have to make, do you notice whether there is much juvenile criminality in the community. I do not use the term criminality simply in reference to offences for which they might be indicted, but as to boys who are reckless, profane, disobedient, and so on?—I do not see a very great deal of it in the discharge of my duties ; but I think there is a great deal of it in the city, and I attribute it very largely to the parents allowing their children on the street at night.

9938a. In one place which we visited, we were told that the permitting of children to sell newspapers on the street led them into bold ways and bad ways. How do you find that in Toronto?—I have no doubt it does.

9939a. You have a special home here for newsboys?—Yes.

9940a. That, I suppose, is found to be an advantage?—Great.

EDWARD TAYLOR.

9941a. Do you yourself favour the enactment of a law prohibiting the manufacture, importation and sale of intoxicating liquor for beverage purposes?—Yes, I think it would be a very great blessing to the country.

9942a. In case of the enactment of such a law, would you except from its provisions liquor for medicinal, mechanical and sacramental purposes?—Yes.

9943a. In case of the enactment of such a law, to what authority would you commit its enforcement—Dominion, Provincial or municipal?—I think the Dominion. Make it universal.

9944a. Suppose such a law were enacted, and you found in this province a very strong prepondering sentiment in its favour, and the same in the Maritime Provinces, but the Provinces of Quebec and British Columbia opposed to it; would you hope for a successful enforcement of it in the country as a whole?—Well, no; I very much question if it would be.

9945a. What is the effect upon a community, whether it be a nation, a Province, or a municipality, of a law being upon the Statute-book which is not capable of enforcement in any part of the body to which it applies?—I should think the effect would be bad upon the community at large.

9946a. We are told there is a revenue derived by the Dominion from the liquor traffic of somewhere between six and seven million dollars annually. Have you considered how that revenue would be made up?—I have not.

9947a. Being favourable to such a law, would you yourself be willing to submit to direct taxation to make up that income?—I think I would.

9948a. And the same in Provincial and municipal matters?—Yes.

9949a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Well, I think to a certain extent they should be.

By Mr. Clarke :

9950a. With regard to the treatment of habitual drunkards, have you thought whether the methods of punishment or restraint now in vogue, such as committing them to jail for ten or twenty or thirty days, are permanently beneficial to them or not?—No, I think it merely braces them up, ready for another spree, as they call it.

9951a. It is said that if they were committed for a longer period their families would be great sufferers; but practically now they are confined from one end of the year to the other, and their families have probably to be maintained by the city. Would it be better if institutions were established in which those chronic drunks could be treated as persons suffering from disease?—Yes, and if they could be provided with some employment by which they could pay their expenses as well as contribute to the support of their wives and families.

9952a. If employment could be found for the masses of the people at all seasons of the year, would the volume of drunkenness be substantially reduced here?—I have no doubt of it.

9953a. Have you ever lived in any place where a prohibitory law was in force?—Never.

9954a. And you do not know anything about the operation of such a law?—No.

By Judge McDonald :

9955a. In case of the enactment of such a law as you favour, would you prevent people from having liquor in their houses for their own private use?—No, I do not think so.

9956a. Is the prohibition you aim at one which would do away with public places where drink is sold for beverage purposes?—Yes.

9957a. In the case of farmers who make their own wine and cider, would you permit them still to do that?—I would.

By Mr. Clarke :

9958a. Have you kept a record for some years of the nationalities of those you are called on to visit and relieve?—I have.

9959a. And the length of time they have been in the country?—Yes.

9960a. Could you supply us with some information on those points?—Yes, I could supply it before the Commission rises.

9961a. Say for the last five or six years. Have you come in contact to any great extent with children who have been sent out or brought into Canada under the auspices of any of the emigration societies that exist in the old land?—Not a very great deal. I meet with them occasionally.

9962a. You do not know anything about the success of that movement?—No.

By the Chairman :

9963a. Are you an officer of the Corporation?—I am now. I was appointed by by-law within the last few weeks.

9964a. I did not quite understand whether your duty was to find out the poor of the city, or whether you simply go and look into cases that are reported to you by the Mayor?—Yes, cases that are reported.

9965a. Have you kept any statistics of the number of persons who have been relieved for a series of years by the corporation or out of corporate funds?—I could get that. You see, they are relieved through institutions; it does not come through me.

9966a. It is immaterial through what channel the money goes. Can we get a statement of the number that have been relieved for a series of years?—Yes, that can be supplied by the two principal organizations for charity relief in the city—the House of Industry and the Toronto Relief Society.

9967a. Would returns from these two institutions cover all that have received relief?—Outside relief. Yes, that would be from institutions receiving aid from the city. Of course, there are the national societies that do a great deal in that way, but we can never get any returns from them.

9968a. I think it would be interesting to see whether the numbers requiring assistance through your office have increased or not?—I know there has been a decrease in the number of applicants at the City Hall.

9969a. Could you prepare such a statement?—Yes, I would be very pleased to do so. I can go back for about five years.

9970a. You spoke of sending persons requiring relief to certain charities. Do you send them to the national societies?—Very seldom.

9971a. Do you send them to the House of Industry and the other institution you mentioned?—Yes. If a person newly arrived in the country applies for relief, I would send them to the society to which they belonged.

9972a. Do you think there is more or less drunkenness in the city now than there was ten or fifteen years ago?—I do not think it has increased. I think there is less.

9973a. Do you think there is as large a consumption of intoxicants as there was ten years ago?—I can hardly form an opinion.

9974a. To what do you attribute the decrease of drunkenness?—I do not know what the cause would be, I am sure.

9975a. More strict enforcement of the law, or the effect of the temperance societies?—They would both have an effect, no doubt.

9976a. And the efforts of the clergy?—The vigilance of the police and the influence of the churches and temperance societies would have a great effect, no doubt.

9977a. Do you think the reduction of the number of licenses has had anything to do with it?—In all probability it may.

9978a. In case of the enactment of a prohibitory law such as you favour, would you permit the importation for private use?—Yes, for medicinal or sacramental purposes.

9979a. For beverage purposes, would you permit Mr. Smith or Mr. Jones, in Toronto, wanting to get liquor for use in his own house, to get it?—Yes, I think so.

9980a. Would you impose duties on that?—Yes.

9981a. Would you impose duties on that brought in for medicinal and mechanical purposes?—No.

9982a. Suppose a person in this country made liquor for his own private use, or manufactured for medicinal or mechanical purposes, would you impose an excise duty

EDWARD TAYLOR.

on that?—Yes. Wines and beer, I think, should be exempt if persons made them for their own family use, but I think distilled liquor should pay an excise duty.

9983a. You said you would allow the farmer to make cider and wine for his own use out of his own apples and grapes. Would you permit him to sell it?—No.

9984a. Would you permit a man who did not grow apples or grapes to purchase these and make wine or cider out of them?—Yes.

By Mr. Clarke :

9985a. You say there is a smaller number of applicants for relief now than there was formerly. To what do you attribute the decrease?—I think a great number of our poor people have left the city, and we are not troubled so much with the wandering class, tramps, and so on, as we used to be, since we introduced the labour test both at the House of Industry and the jail. There used to be a great many come here to quarter for the winter and have an easy time of it; but now that they have introduced the labour test, washing and so forth, there are not so many. Some of these fellows object as much to a bath as to working.

By the Chairman :

9986a. What is the labour test?—If a man applies at the House of Industry for a night's lodging and food, he has to take a bath, and his clothes are taken from him and put into a steam-boiler and subjected to thirty-two pounds of steam pressure to the inch to destroy all animal life in them. When he comes out of his bath, he is given a nightshirt and a pair of slippers, and sent to a clean bed with a woven-wire mattress. In the morning he is given his breakfast, and he has to cut a quarter of a cord of wood. If he does that he is allowed to come back at noon and get a bowl of soup and a piece of bread.

9987a. Can he repeat the operation?—Yes.

9988a. For any limited period?—They profess to limit him to three nights, but they are not strict as to that. If a man does his work, they keep him perhaps three weeks, sometimes longer.

By Judge McDonald :

9989a. If a man, after getting his night's lodging and breakfast, refused to do the work, what would they do with him?—He would not be re-admitted if he applied again.

9990a. They would not hand him over to the police for not doing the work?—No.

JOHN GREEN, on being duly sworn, deposed as follows:—

By Mr. Clarke :

9991a. You are Governor of the jail?—Yes.

9992a. How many years have you occupied that position?—Twenty-one.

9993a. During that time you have of course been brought into contact with a great number of men and women who have been incarcerated in that institution?—A great many.

9994a. Have you kept statistics of the crimes for which they have been committed?—In every case.

9995a. They are contained, I suppose, in the annual report sent from the jail to the Provincial authorities?—Yes.

9996a. You heard the evidence of Mr. Taylor in regard to the decrease in the number of applications for relief. Has there been a corresponding decrease in the number of those committed to the jail during the last three or four years?—There has been a decrease. I do not know whether it would correspond with Mr. Taylor's statement or not.

9997*a*. About the same time that the labour test was adopted at the House of Industry, I think an arrangement was made by you, by the employment of additional guards, to practically apply the labour test in the jail?—Yes.

9998*a*. What has been the result of the experiment?—The result has been very satisfactory, if it was the labour test that produced it, and I think that has been the principal reason.

9999*a*. You have some statistics?—Yes. I have had very little time to prepare them; but I have made up a statement of the numbers committed for all offences for each year ending the 30th of September for the last ten years in the city and county jail of the County of York. They are as follows: 1884, 3,251; 1885, 3,394; 1886, 3,200; 1887, 3,791; 1888, 4,128;—I think the labour test commenced in 1888—1889, 3,951; 1891, 3,371; 1892, 2,973; and 1893, 2,709. From 1888, when the labour test was commenced, there has been a very great falling off. That may not be the only cause, but we attribute a very great deal of it to the labour test. Of course idleness has a very great deal to do with the prison population; there is no doubt about that. Drinking also has; and the worst feature of drinking, from my standpoint, is the system of treating. That, I think, has been the greatest curse to the country that has ever happened to it in connection with the sale of liquor.

10000*a*. Have you any statistics showing the number that have been committed for drunkenness?—Yes. The number committed for being drunk, or drunk and disorderly, was: in 1884, 1,661; 1885, 1,707; 1886, 1,705; 1887, 2,166; 1888, 2,098; 1889, 2,096; 1890, 2,085; 1891, 1,783; 1892, 1,444; and 1893, 1,207. There has been a steady decrease for the last five years.

10001*a*. Has the application of the labour test had anything to do with that reduction?—I think it has, because many of them remarked: "You will not catch me back here again." A number of them did return, however, because they had become habituated to drinking and had been accustomed to come to the jail for a number of years. Nevertheless, I cannot help thinking that the labour test has had a great deal to do with it, for the prison population, as a general rule, dislike work.

10002*a*. Is the present method of treatment and punishment of these habitual drunkards—committing them to jail for ten or twenty days—well adapted to produce permanent beneficial results upon them?—It is the greatest mistake that could possibly be made.

10003*a*. Will you give us your view regarding a better method of treating these habitual drunkards?—There is a class of drunkards who come to the jail occasionally, who appear to be drunkards from disease: they cannot help it. But the mass of the prisoners who come there for drunkenness are not of that class. It is very difficult to devise a means of punishing the habitual drunkard that will meet the case, owing to the difficulty of deciding what may be considered a habitual drunkard. For instance, in the first week of January a man will come in who is a workingman and the father of two or three children. He is not a drunkard, only an occasional drinker. He will be punished in the usual way—a dollar and costs or thirty days. If the family can raise the money, which they generally do for the first fine, by selling, pawning or borrowing, the man is discharged. Perhaps I do not see that man again for two or three months; but he comes back some time on a similar charge. I inquire of the man how it is he is back again. "Well, I don't know," he says, "I met So-and-So, and I could not help it." I make further inquiries, and I find that from the time he was up before he was a steady, hard-working man, and was doing everything for his family that was necessary. I may see that man three or four times in the year, but during the intervals he is industrious and hard-working and takes good care of his family, but under certain circumstances he cannot resist the temptation, You cannot call that man a habitual drunkard, and if you did class him as such, how could you punish him? If you send him for a lengthened term to the jail or some institution for treatment, his family would have to be provided for. Then it is difficult to provide labour in such an institution. The institution should just take enough to pay for his board, and the balance should go to support his family or whomsoever depends on him. Something of that kind has gone through my mind as a theory, but the question is how to put it in practice, there is so much opposition to

JOHN GREEN.

prison labour. When you were Mayor, you caused some labour to be undertaken in the jail—I thank you for that—because I cannot conceive of any system so bad as that of enforced idleness in our jails. The prisoners should be put at something, no matter what it is. If you can find remunerative labour, so much the better; but to send them there for thirty or forty days of enforced idleness, is attended with the worst results.

By the Chairman:

10004a. Will you describe the labour test as it is put in force in the jail?—On the jail farm there was a swamp of eleven acres almost in the centre of it. In the work of straightening the Don river, great heaps of earth were thrown up. The men have been employed in moving that earth into the swamp until they have now redeemed about eight acres of it. It would have about six or eight feet of water in its deepest part. That is what the men are employed at. There are no money returns from such labour; but it has had the effect, I think, of reducing the numbers in the jail, for every man who is committed for any offence, for sixty days or under, is put out there to work.

10005a. Practically, then, they are reclaiming land?—Yes.

10006a. Is it valuable when it is done?—It will be valuable, no doubt, when it is done.

10007a. To what causes do you attribute the large decrease in the number of drunkards committed to the jail?—I think the work of the temperance party has had a good effect, and the work of the parties who visit the jail. There are Christian workers who visit the jail two or three times a week, and interview the prisoners, and I think that has had an effect on some of them. Then, they do not like the hard work, and they make all sorts of schemes to avoid it. Some of them have to be punished severely, and they will take the punishment rather than go to work.

10008a. Are there many drunkards committed from outside the city?—Very few, indeed.

10009a. The drunkards come principally from the city?—From the city, principally.

10010a. There has been a large reduction in the number of licenses in the city in recent years. Do you think that has had something to do with the reduction in the number of commitments for drunkenness?—I think it has. If saloons are numerous, men going through the streets will go into them with their companions more frequently, and then comes the treating evil. They do not like to go away without treating each other.

10011a. Has there been an increase in the efficiency of the police force that would contribute to the decrease?—I do not think there has. We have a fine force, and we have had a fine force for many years.

By Mr. Clarke:

10012a. What means could you suggest to stop that treating system, which is undoubtedly the cause of a great deal of drunkenness? Would the enactment of a law providing that liquor should not be sold in less quantities than a pint, and that it should not be drunk on the premises, be an improvement—that is, to stop the sale of liquor by the glass in bar-rooms?—I undoubtedly think it would.

10013a. You could not punish people for inviting others to drink, could you?—No. The effect of the treating system is that people drink too much. It also has the effect of teaching people to drink.

10014a. With your long experience in this and other jails, what conclusion have you come to as to the causes which lead people to commit crime?—I think idleness.

10015a. Idleness stands first?—Idleness and drinking, and in cities and towns, the association of boys on the corners of the streets, leading them to the billiard saloon or the drinking saloon, where they meet with others who entice them. That is largely the result of associating together on the corners of the streets at night.

10016a. Have you found these juvenile criminals to be addicted to drink?—We have a number of newsboys who drink liquor and chew tobacco, but not many of them. Since we have had the Newsboys' Home, those who go there have to be in at certain hours and have to submit to certain rules. Nevertheless, when they get to be fifteen or

sixteen years of age, they go out at night, they want to go to the theatre, and not having the means to gain their desires, they resort to pilfering, and sometimes something worse.

10017a. Have you found that the children brought out from the old country form a percentage of the minors sent to you?—We have had some, but very few, in proportion to the number sent. We have had some very vicious, bad boys from the old country, but very few.

10018a. Do you find that the persons accused of the more serious crimes, such as burglary, arson, forgery, and so forth, are addicted to drink?—Not as a general thing—they do not drink to excess. And the criminals charged with the most serious offences are not drinkers, as a general thing.

10019a. Assaults on the person, I suppose, are committed largely by persons addicted to drink?—Yes; I think so.

10020a. Have you given attention to the question of the prohibition of the importation, manufacture and sale of liquor for beverage purposes?—I have thought of the question considerably.

10021a. Would you favour the enactment of such a law?—I think it would be beneficial to the community at large, undoubtedly, if such a law could be introduced and successfully carried out. The difficulty seems to me to be the long strip of country we have and our close communication with the United States: I think an immense quantity of liquor would be brought over, and I do not see how that could be prevented.

10022a. In the event of a prohibitory law being enacted, would you favour the compensation of brewers and distillers for plant and machinery which would be rendered useless and practically destroyed?—I do not think I would, because the brewers and distillers are pretty well able to take care of themselves. But there are some persons who are required by the license law to have certain rooms and accommodation before they can get their license, and it would be very hard in such cases to say that they should not get their license, and should not get compensation.

10023a. In such cases do you think compensation should be granted?—I think some compensation should be given. It would, perhaps, be fair to ascertain what loss they would suffer, and then give them a certain percentage.

By Judge McDonald:

10024a. I suppose, in a large city like this, a certain number of females are committed for drunkenness?—Yes.

10025a. Is the number large?—I think about one-third of the jail population would be women.

10026a. To what cause do you attribute intemperate habits on the part of women?—Loose and idle habits when young—young girls being allowed to run on the streets.

10027a. Do you think of late years there has been a relaxation of what may be called, the home ties of the people, and that people are more out at night?—I think they are out more. I think the parents of those children found in jail have not taken proper care of them. They let them run on the streets at all hours, and then when the children get old enough, they do as they like.

10028a. An eastern Magistrate made this suggestion to me, that people themselves are out of their homes so much in the evenings attending meetings and assemblies, that the children themselves go out at nights. Have you noticed whether that exists to a great extent in Toronto?—I have not noticed it particularly; but the children want to run out to play on the streets, and the mothers let them out, glad to get them out of the way.

10029a. In your jail, have you a classification of the inmates?—I have a classification, as complete, perhaps, as you will find in any jail on the continent. I have twelve wards. The juveniles I keep to themselves as far as possible. But it is just as necessary to separate juveniles from juveniles. You can read a boy's character generally in a few hours. Among seven or eight boys in the jail there may be two or three who are there for some simple thing, and the others may be sharp little rascals who will lead them to go wrong, and then it is very hard to get them right again.

JOHN GREEN.

10030a. Have you found in jails, where there is no means of classification, and children and adults are put together, that the children must learn a great deal of crime from the adults?—Undoubtedly. It is wicked.

10031a. Speaking of the boys brought into this country from the old country by societies, comparing the number committed to your care in proportion to the number brought into the country, with the number of Canadian boys committed to your care in proportion to the number in the country, which would be the larger proportion of offenders?—It certainly would not be the imported ones. We have very few of them. The native children, of old country parents, figure the most largely. A great many people come out here bringing large families with them, in the fall of the year. They perhaps meet with disappointments; there is very little for them to do, and they send their children to pick up this and sell that, and get a living the best they can.

10032a. Do you have prisoners who are committed for stealing some small articles in order to sell it to get drink?—Oh, lots of such cases. They will come to the police stations in winter time and ask for a night's lodging. In the winter time, a great many men are out of employment, with very very little provision to carry them through the winter, and they will steal or pawn or beg almost anything, to help them to get through the winter.

10033a. I suppose a great many come from the outside towns and country into the city?—Yes.

By the Chairman :

10034a. Does the population of the jail increase in the winter time?—Yes, at least one-fourth.

By Mr. Clarke :

10035a. Is that due to the lack of employment?—Yes, and to the class of people called tramps. But, since the introduction of the labour test, we have not had so many of these men.

SAMUEL R. HEAKES, on being duly sworn, deposed as follows :—

By the Chairman :

10036a. What is your occupation?—Carpenter and builder.

10037a. I understand that you have had a large experience in connection with matters relating to the interests of the working classes in this city. The Commission would be glad to have a statement from you, as a gentleman thoroughly conversant with their views, with regard to the liquor traffic generally, and more particularly with regard to the various points on which we are instructed to inquire?—I expected, of course, that I should have been questioned on some phases of the subject. You give me a pretty large contract in asking me to express the views of the working people of Toronto on the subject.

By Mr. Clarke :

10038a. What is your own opinion, formed from your contact with the working classes?—My own opinion has been formed very largely from contact with the people of the Dominion as a whole, and not merely those of the city of Toronto. I find from contact with the social bodies of the people that the drink habit has decreased very largely during the last ten or fifteen years. As the people have increased opportunities for studying and reading, there spring up demands for public libraries and reading rooms, and the teaching of various branches, particularly for technical instruction in night schools, and people in my line of life prefer to occupy their time in these ways to spending it around saloons. As a rule, among the working people the ones who drink are those who work the longest hours, obtain the smallest wages, and never reach the

line of comfort in life. The people who are well paid and who are in pretty constant employment are generally happy in their homes, their surroundings are healthy, and their time is pretty much occupied in looking after their families and improving their minds, as far as their means will permit them, by taking up literature or other subjects of study; so that they have no inclination to visit the saloons; and I think if more attention were paid to the social question—I mean sociology as it relates to the whole people—and more serious efforts were made to remove the poverty that exists among the people through uncertain employment and small wages, we would hear less of the drink traffic. That has been the result of my experience all over Canada in a very close contact with the people.

By the Chairman :

10039a. Are you connected with any of the labour organizations?—Not in the city at present—not since I commenced business myself.

10040a. Have you been at any time?—Yes, for many years.

10041a. Do you attribute the improved condition of things which you have just described in any degree to the efforts of the labour organizations?—Oh, largely. No man can become a member of a labour organization who cannot get somebody to vouch that he is a sober, steady and industrious man. To obtain the benefits of an organization a man must have that character. Consequently, the standard is maintained.

10042a. Do you attribute any part of the improvement to a more vigorous enforcement of the law, and to the changes which have been made in the last few years in the direction of reducing the number of licenses and regulating the traffic more carefully?—I think so. As people become better educated they demand improvements of that kind.

10043a. In the city of Toronto, for instance, there has been a very considerable reduction in the number of licensed places. Do you think that is a benefit?—I do.

10044a. Do you think that has contributed at all to the improved state of things you have referred to?—It may to some extent. It has lessened and removed the temptation from many neighbourhoods.

10045a. Do you think the efforts of the temperance societies have been a contributing force?—Well, they may have been a contributing force within their own sphere of action. I do not give them all the credit they claim, though.

10046a. You think they are entitled to some credit?—Oh, yes, they are entitled to some.

10047a. Do you think the churches have had much to do with the improvement?—I think the missions have had more to do with it than the churches. I was connected with a mission here in the city; I was superintendent of the Sunday School for six years; and I think that mission did more than any four churches in the city.

10048a. Was this mission an outcome of some of the churches?—It was just half-a-dozen people acting together—seeing that the neighbourhood wanted something of the kind, and going and doing it.

10049a. Did you employ some one to take charge of it?—No, it was voluntary. Some eighteen or twenty people gathered around and gave their help.

10050a. Had you a hall?—We had to build a hall in the second year of the mission to accommodate some four or five hundred people, but it was all purely voluntary.

10051a. Have you given any thought to the question of prohibition?—Yes, I have followed the prohibition movement pretty closely.

10052a. What are your views with regard to that?—My personal views. After my experience of Scott Act counties and towns, I am afraid prohibition won't work. I have been forced to that conclusion. Five years ago I was an ardent prohibitionist; I would have voted for it; but the evidence which was brought to my attention while I was on the Labour Commission—sworn testimony—and what I saw myself, forced me to a different conclusion.

10053a. May I ask you what you think the views of the labouring population in this city are on that question?—I would not like to speak for the labouring classes as to prohibition; but I will say this, that anything that will promote sobriety and reduce the evils of intemperance or the sale of intoxicating liquors, would be warmly supported

SAMUEL R. HEAKES.

by the labouring people. While I suppose they are like myself—they cannot say that they would endorse prohibition at the present time—yet they would welcome something that would lessen the evils of intemperance.

By Judge McDonald :

10054a. In what section of Canada had you experience of the working of the Scott Act?—In Ontario, Quebec, Nova Scotia and New Brunswick.

10055a. In what counties of Ontario?—Kent. I was in Chatham.

10056a. How did you find it there?—They never secured a second conviction against anybody for selling liquor. The liquor was sold openly.

10057a. Any other county in Ontario?—Yes, I have been in pretty nearly all of them. I was around St. Thomas.

10058a. How did you find it there?—The same thing. The bars were always open.

10059a. How was it in other communities?—During a trip of six months through Canada, in which I visited almost all the Scott Act counties, I only found two towns where liquor could not be purchased.

10060a. Where were they?—They were in New Brunswick.

10061a. How do you account for the Scott Act having been repealed in so many counties in Ontario—in fact, in all the counties in Ontario where it was in force?—There are various ways in which it may be accounted for. People voted for the Scott Act because they favoured a temperance measure of some kind; but it never had the moral force of the people behind it.

10062a. As a man who has been brought into contact with a large proportion of the population, do you believe that a prohibitory act, to be a success, must have behind it a strong popular sentiment?—Much more than a majority.

10063a. I mean a sentiment much more than that which is expressed by vote or voice. Must there be action on the part of the people?—There is no doubt about that. There must be some sentiment behind the act before it can be enforced.

10064a. And you think there must be a large preponderance of that?—I think so, in an act of this kind.

10065a. You say you think the reduction in the number of licenses is beneficial because it does away with temptation. Has that been your experience in other places than Toronto?—I have never been a resident of other places for any length of time; consequently I could not just state what the result has been.

10066a. In the case of a man who is addicted to drink, if between his home and the place of his work there is only one place where liquor is sold, he is much safer than he would be if he had to pass eight or ten such places?—There is no doubt about that. For instance, in Montreal you can stand in one part of St. Joseph Street where you could throw a stone at any one of fourteen taverns which are in the locality. The temptation is very much greater there than it is in Toronto.

10067a. In case a law were passed to do away with either the hotel or the saloon, which, in the interest of temperance, would it be better to do away with?—I think we ought not to have any saloons at all.

10068a. Why not?—Because a hotel should be a place not only for the accommodation of travellers, but where people engaged in and about the city could get meals. If you go into a saloon you cannot get anything to eat unless you drink.

10069a. Do you think where billiard tables are licensed they should be separated from places where drink is sold?—That is a question I have never considered. I don't play billiards.

10070a. But there are a great many who do. Do you think they should be separated from places where drinks are sold?—I would not like to give an opinion. I have been in billiard-rooms, and I believe about as much betting and rascality goes on in those where liquor is not sold as where it is.

10071a. In case of the enactment of a prohibitory law for the Dominion, do you think that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think common honesty should dictate a policy of that kind. We have no right to destroy a man's means of living without recompensing him.

By the Chairman :

10072a. Have you been in the State of Maine?—No.

10073a. Have you been in any State or country where a prohibitory measure was in force?—Nothing more strict than the Scott Act.

By Mr. Clarke :

10074a. There were difficulties in the way of a rigid enforcement of the Scott Act which it is said would not be encountered in the case of national prohibition. For instance, it was claimed that in the county adjacent to the Scott Act county there was probably the licensed sale of liquor, so that people could either go or send for liquor beyond the boundary of their own county and get all they required. Was not that one great difficulty in the way of the enforcement of the Scott Act?—No. I think the chief difficulty was that the people would not support it after voting for it.

10075a. How do you account for the fact that in some counties the Act was carried by very large majorities, and voted out again three years afterwards by equally large majorities?—I cannot attribute it to any cause.

By the Chairman :

10076a. Do you think in the first instance there was some indifference in regard to the matter, and only a comparatively small number of those entitled to vote did vote?—No. I think the vote was pretty heavy in some counties. People thought the Act was going to be a blessing, and it turned out to be something else.

10077a. Was the vote not larger when they came to vote a second time?—I do not know; I have not analyzed the vote, and could not tell you. I think it was practically the same vote. I have heard it stated in many places where the Scott Act was in force that business was destroyed by the Scott Act.

By Mr. Clarke :

10078a. How do you think it injured business? It has been claimed by some that business was substantially improved by the Scott Act during the time it was in force?—I can only say that the sworn testimony on the subject that I listened to was contradictory to that.

10079a. We were told the other day that the result of the operation of the Scott Act in the County of Halton was that at one time there was not a vacant building in the town of Milton except the county jail, that everything was booming, that the assessment of the county was raised, and that a man who was challenged to procure liquor in the county went practically from one end of it to the other and was not able to procure it?—I cannot speak of my own knowledge; but I remember reading a list of some hundreds of quarts of liquor that were sold in the County of Halton on doctors' orders during the time the Scott Act was in force.

10080a. In the event of a prohibitory law being passed, would you include in its provisions the right to import liquors for domestic use?—I do not think you can interfere with the rights of the individual in that respect. I think it is better to recognize the habits of the people and adopt some system like the Gothenburg system or some phase of it.

10081a. Is not the treating custom a very great evil in connection with the drinking practice?—I cannot tell you, I so seldom treat anybody myself.

10082a. If it were possible to abolish the treating system, would there be a substantial improvement in the present state of things?—There might. It is said that the Gothenburg system abolishes the treating system.

10083a. I believe you look to increased wages and shorter hours of labour and things of that kind calculated to improve materially the condition of the working classes, to reduce drunkenness rather than to a prohibitory law?—I think if you make the people contented and prosperous, you won't have a drunken people. For instance, I believe that those who have most closely studied the subject say that nearly twenty-five per cent of our people never reach the line of comfort in living, their wages being so small, and it is from that class that drunkards are largely drawn.

SAMUEL R. HEAKES.

10084a. And if it were possible to bring that class up to the standard of comfortable living, there would be less drunkenness among them?—I do not think so.

10085a. Do you think the present method of dealing with habitual drunkards—sending them to jail for ten or twenty or thirty days—is of permanent benefit?—I think it is a farce, so far as its reforming influence is concerned.

10086a. Would you favour the establishment of hospitals or sanitariums to which they should be sent, for certain periods, for treatment, and where they would be made to work?—I think that would work for some of them. My own idea is that the Government should control the sale of liquor, and that the proceeds should be applied to the maintenance of the helpless classes.

10087a. Could you make any suggestions as to improving the prevailing system here, so as to decrease the evils that flow from the excessive use of liquor?—I mentioned that I would abolish the saloons, as they are merely drinking places, and I would make all the hotels places of entertainment, where people could get meals and beds. It is notorious that you cannot get them in a large number of the so-called hotels in Toronto.

10088a. Do you think it would be possible to prohibit the sale of liquors by the glass at the bar?—You cannot do that. They tried that in Halifax. A man was fined twenty dollars if he invited another to get liquor at a bar.

10089a. What was the outcome of that law?—I can tell you how it worked. The Chief of Police asked me to go in and have a drink. I do not know whether he or I or both of us were liable to the fine. The law says you must not sell less than a bottle of liquor, and the man who either buys or gives less than a bottle is liable to the fine. But it does not work.

10090a. I think you said you had an opportunity of seeing the operation of the Scott Act in Quebec, Nova Scotia and New Brunswick, and that you found it inoperative?—It was practically inoperative, except in two places.

By Judge McDonald :

10091a. Have you any objection to naming the two places?—They did not sell any liquor, but you could get enough to swim in if you wanted it. For instance, in one of those places the proprietor of the hotel where I was staying said he did not sell any, but that if I wanted any I could go into a room where it was kept and help myself. But when I came to settle the bill, I found that I was charged a dollar a day more than the other places charged, where liquor was sold. In the other place they did not sell, but they gave you a ticket entitling you to admission to the Town Club, where you could get liquor. So that these places, while they did not sell liquor, evaded the law in other ways.

By Mr. Clarke :

10092a. What is the effect on the community of having a law violated in that way?—I think that any law that is not kept has not a good effect on the people.

10093a. Is that plan of vending liquor preferable to the license system as we have it in this and other provinces?—Certainly not. In the present circumstances, I do not think we can do better than maintain the license law and strictly enforce it. I do not think the people are sufficiently educated for anything more than that.

10094a. Did you visit Fredericton?—No.

10095a. In what counties in Quebec did you find the Scott Act in operation?—I am not sure that we took any evidence in Scott Act counties in Quebec. There are only three or four counties in Quebec that, I think, have the Scott Act now.

10096a. What are the views of Mr. Powderly on the question of prohibition?—Mr. Powderly is like the rest of us : he is against the drink traffic in any form ; but I suppose he does not see his way clear to doing away with it.

10097a. Then you are opposed to prohibition because you do not see that it is practicable?—That is the only reason I do oppose it.

10098a. Do you favour a still further reduction in the number of licenses in Toronto?—I do not know. I would oppose any increase in the neighbourhood where I live.

By Judge McDonald :

10099a. Do you think the existence of a saloon in a neighbourhood has a tendency to depreciate the value of property other than the saloon itself in that neighbourhood?—I think there is no doubt about that.

10100a. Speaking as a representative of workmen of different classes, is it desirable that saloons should be located near foundries or factories?—I have no use for the saloon in any way.

10101a. I say it is desirable that they should be located near foundries or factories?—No, they should not be located anywhere.

10102a. You would remove them as far as possible from industrial centres?—As far as possible—put them where they cannot do any harm.

10103a. We find that they are removed largely from the residential sections. If they are to exist, in what part of the city would you place them?—You see they provide no accommodation for people.

10104a. I am speaking of any place where drinks are sold for beverage purposes; in what part of the city would you locate those places?—I would locate them principally where the mercantile business is carried on.

10105a. Have you visited the city of Minneapolis?—No, I never was out west.

10106a. We were informed that they have there what they call patrol limits, and that they have a regulation that every saloon in the city must be within those limits?—Of course, I think the hotels around the market are a benefit to the farmers who do business there; but they are of no benefit to me. I live three miles from them and do not want them.

By Mr. Clarke :

10107a. It is said that if hotels had not bars they could not afford to provide the public with as good meals or rooms as they do now, and provide stabling and so forth—in other words, that the profits of the bar go to provide accommodation to the public at less than cost. Did you find in Scott Act places that the hotels had deteriorated, that the tables were not kept up, that as good accommodation was not given to the travelling public?—The accommodation is not as good; there is no question about that; and you invariably find that the temperance hotel is not a success.

10108a. How do you account for that? Is it lack of patronage on the part of temperance people, or do they not provide as good accommodation?—I have met strong temperance men who refused to patronize the temperance hotels; and the only reason for it that I could give, was the same reason that I have given for the non-enforcement of the Scott Act, that they have no moral sentiment behind their temperance principles.

By the Chairman :

10109a. Can you suggest any improvement in the present license law to make it more effective in restricting the liquor traffic?—I think the facilities for furnishing liquor to young children are too great at the present time. I think the law in that respect is not enforced at all. I think the more good influences you can throw around the children the more sober and industrious they will be when they grow up.

10110a. Has it occurred to you how the temptations in the way of children can be lessened?—I do not know, I am sure. It is a problem that I have never given much attention to. In most cities there is very little space for children to play. We are not so badly off in Toronto; but there are places in Canada where the front door opens on one street and the back door on another, and the only place for the children is the street and they get their education there.

10111a. Do you believe in high license?—I believe in making the license so high that it will not be an inducement to people to go into the business.

10112a. What do you think of the local option system?—I think it is something like the Scott Act and prohibition, it is not workable.

10113a. Its operation is, of course, confined to small communities, and if the people are agreed would it not be possible for them to carry it out?—I do not think so. Portland, N. B., before it was annexed to St. John, was a very good example of it. Portland

SAMUEL R. HEAKES.

had the Scott Act and St. John the license law, and when I was there it did not strike me that it was any more beneficial to Portland.

By Mr. Clarke :

10114a. It has been suggested that I should ask you if you are not aware that there is such a hotel as the Robinson House in Toronto?—I am.

10115a. Is not that hotel better than one-half or two-thirds of the hotels in Toronto where liquor is sold?—I have never had a meal in it—I cannot say.

ARTHUR LAUGHLIN, on being duly sworn, deposed as follows:—

By the Chairman :

10116a. What is your occupation?—Superintendent of the House of Industry.

10117a. Is the House of Industry a charitable institution, or one of the institutions maintained by the city?—A charitable institution.

10118a. Will you kindly describe to us the class of people who come to it?—They are aged people who, from various causes, are not able to make their own living. It is an aged people's home.

10119a. How many have you in the institution?—We have ninety-seven at present.

10120a. Do you publish an annual report?—We do.

10121a. Can you supply us with a copy?—Yes. I have the reports with me for a number of years.

10122a. How many of the ninety-seven inmates are females?—There are twenty-nine females.

10123a. What is the age of the youngest person you have in the institution?—About forty years.

10124a. And the oldest?—Up to a hundred.

10125a. How do they obtain admission to the house?—They are recommended by some citizen, generally by a holder of property. Then they come and make application to the house, and it is considered by an officer, and if it is a case of destitution and the applicant is one who is not able to make a living, they are admitted.

10126a. Have you a committee of management?—Yes.

10127a. Do the committee pass on the application?—They do.

10128a. And the house is supported by voluntary contributions?—Voluntary contributions by the citizens, the interest of legacies, and a grant from the Government.

10129a. What is the Government grant?—Last year it was \$2,380.

10130a. That is a Provincial Government grant?—Yes.

10131a. Is that a limited sum?—It is based on seven cents per day per head on the number of persons who have been in the institution during the year.

10132a. What do you get from the city?—Last year we got \$16,000 from the city. That is for the outdoor poor.

10133a. Have you a statement of the number of persons outside the house who received relief?—Yes. Last year the number was 1,900 families, including 8,457 persons.

10134a. Were those aged persons?—These are people living in Toronto—citizens. They are men, women and children in families.

10135a. On what principle is relief granted to persons outside the house?—Simply because they are destitute.

10136-37a. But their circumstances are inquired into?—Yes, we have sixty gentlemen visitors, representative gentlemen of the city of Toronto. When a case is reported to me, I send it at once to the visitor for that district. He inquires into it, and sends me a written report upon it. Then the officer for the day and myself consider the cases as we receive them.

10138a. Are the officers for the day made up from these gentlemen?—Yes, those who compose the Board of Managers.

10139a. You are the permanent officer?—Yes, I notify the others, and they attend on the day appointed.

10140a. Their services are gratuitous?—Yes.

10141a. These applications come before the committee?—Before the gentlemen for the day and myself. We are the committee.

10142a. Of those in the house, can you give us an idea how many have been led to seek assistance through intemperance?—I cannot give that. That is very hard to get. If you ask a man or try to find out from him if it is from drink or dissolute habits, he of course denies all that—he is a respectable citizen.

10143a. Of course they do not get any liquor inside the house?—They do not, certainly.

10144a. Of those who receive outdoor relief, can you give us any idea of the proportion who are in destitute circumstances through intemperance?—The Board of Managers tried to get that last year. The Chairman of the Visitation Committee instructed all the visitors to report upon that point, but we could not get a report: it was never carried out. It seemed to be a great deal of trouble.

10145a. Did you reach any definite conclusion?—No, there was no definite conclusion. It was quite a large percentage, they knew that; but what percentage they never got at.

10146a. A large percentage that were destitute through intemperate habits?—Yes, I am sure of that.

10147a. Have you a labour test?—We have for the casuals or tramps.

10148a. That is a third class?—Yes, there are three departments.

10149a. How many of them have you in the house, on the average, each year?—That depends upon the season. The average for last year was sixty-five per night during the four winter months. I have not the average for the summer.

10150a. It is much less in the summer?—Yes. Some nights we have not any, and then from two or three to a dozen.

10151a. How do you employ the regular inmates of the house—the old people to whom you have referred?—We are not supposed to take any who are able to work.

10152a. Will you describe to us the labour which you require the casuals to do?—It is simply cutting a quarter of a cord of wood in the morning. For that they have their night's lodging, their breakfast, and their privilege for dinner.

10153a. How many times will you admit them on that basis?—There is not any limit at present at all, as long as they behave themselves and cut the wood.

10154a. What is done with the wood that is cut; is it sold?—It is handed to a large coal and wood firm in the city. They supply us with the wood for this test and take it away.

10155a. Do they pay you so much for cutting it?—No, there is no profit in it.

10156a. You get nothing for it?—No. Three or four years ago we tried to get something for it, but it did not work well, and then we got into competition with the tradesmen and it made trouble.

10157a. Then the firm simply get so much wood cut for the trouble of carrying it to and from the house?—Yes. They consider that they are about even when they get the wood cut and split.

10158a. Can you tell us what proportion of the casuals are drunkards?—No. I do not think we have any record of that at all.

10159a. Are they all grown up people?—Yes, although we sometimes have youths under twenty, I am sorry to say—too many of them.

10160a. Have you formed any opinion as to what proportion of these casuals are drunkards?—I have not formed any opinion as to what proportion. There are a great many of them; in fact, nearly all of them drink to a greater or less extent.

10161a. Would you say that the poverty of the greater portion of them has been brought about by intemperance?—Oh, I think so. I am sure the largest proportion by far—intemperance of various kinds.

ARTHUR LAUGHLIN.

10162a. What do you mean?—Mostly bad living of every kind—stealing and everything else. We often have thieves arrested there.

10163a. I was referring to intemperance in the use of intoxicating liquor; what proportion of them?—I could not tell you the proportion. We do not find that out at all. In fact, you could not get it, for we have only their word to depend on, and it is not very reliable.

10164a. Then you do not mean that the greater portion of them have been intemperate in their habits in the matter of the use of intoxicants?—I think so. I think the greater portion.

By Judge McDonald:

10165a. We have been told, in some quarters that there are three principal causes leading to criminality, and that they stand in this order: idleness, intemperance and sensuality. Does your experience enable you to say whether that is correct or not?—I think it would be, although I have not had very much experience.

10166a. Have you any children in the home?—We have no children now. We used to have them years ago.

10167a. When you did have them, were they children that had no parents?—Yes, orphans.

10168a. Have homes been provided for them since?—Yes, homes have been erected for them in the city.

10169a. Do you yourself favour the enactment of a prohibitory law prohibiting the manufacture, importation and sale of intoxicating liquor for beverage purposes?—I think, to a certain extent, it should be prohibited.

10170a. To what extent would you favour it?—I think the traffic ought to be reduced. I would favour the closing of the saloons.

10171a. In case either hotels or saloons had to be retained, which would you retain?—I think if you closed the saloons, you would soon arrive at a proper basis.

10172a. In the event of a prohibitory law being passed, would you favour preventing people having liquor in their houses for private consumption?—I would not like to do that.

10173a. In case of the enactment of a prohibitory law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think they ought to have some remuneration, or a certain time to get out of the business and help themselves.

By the Chairman:

10174a. It is suggested that I should ask you if you believe a prohibitory law, well enforced, would reduce poverty and improve the social condition of the working classes?—I think it would, decidedly. A great deal of poverty is caused through drink.

10175a. That is, in case it were effectively enforced?—Yes; it should be effectively enforced.

10176a. Do you think it is practicable to effectively enforce it?—It has not been so far; and that is just the trouble.

10177a. What is your view of it?—I think if the number of licenses were reduced, it would help. We do not need any saloons anywhere near the House of Industry: that is certain.

10178a. Do you think that, with a reduced number of licenses, the present system would be more effective than a prohibitory law?—As the prohibitory law has been carried out in the past, I think it would be. If it could be carried out properly, the prohibitory law would be the best.

10179a. Would a further reduction in the number of licenses be a benefit?—Yes; and I would make the license fee higher.

10180a. Suppose you wiped out all the licensed places, would that be a benefit?—I think so. I think the country would be better without any.

10181a. Would it be better if there were no licenses?—I think so.

10182a. Would it be better to have no licenses than to have an impracticable law on the Statute-book?—No; I do not want that impracticable law at all, the way it has been enforced in the past. It is no good at all.

10183a. Have you any guarantee that it would be better enforced?—The present system is better, decidedly.

10184a. You prefer the present law to the prohibitory law, as it has been enforced, or as it could be, in your opinion enforced, in the future?—I think so.

10185-6a. But you would prefer the prohibitory law, if it could be enforced?—I would, decidedly.

The Commission adjourned.

TORONTO, October 24th, 1893.

The Royal Commission on the Liquor Traffic met at 10 o'clock, a.m., SIR JOSEPH HICKSON, Chairman, presiding.

Present:

JUDGE McDONALD.

MR. E. F. CLARKE.

MR. G. A. GIGAULT.

MATTHEW LOGAN, Deputy Warden of the Central Prison, Toronto, on being duly sworn, deposed as follows:—

By Judge McDonald:

10187-8a. We understand you appear in the absence of the Warden?—Yes. The Warden is away on his holidays.

10189a. How long have you been Deputy Warden of the Central Prison?—About seventeen years.

10190a. How many prisoners have you in charge at the present time?—At present 306.

10191a. From all parts of the Province of Ontario?—Yes.

10192a. Have you among your prisoners people who are residents of the Province, but are tramping through it and are arrested and sent to prison?—Sometimes quite a few.

10193a. I suppose you have men of a good many different nationalities?—Yes.

10194a. How long has the prison been in existence?—I think it was opened in 1874.

10195a. Are the prisoners confined in that institution put to hard labour?—Yes; that is the term used.

10196a. Are any industries carried on within the prison?—Yes.

10197a. What are they?—We are making binder twine, brooms, iron bedsteads; and some time ago we made little wooden wheel-barrows.

10198a. Is there any outside work done?—We have a piece of land, of about eighteen acres, where the jail convicts are employed, and where we raise all the vegetables, and so forth, for the use of the prison.

10199a. The prison is only for males?—Only for males.

10200a. What is the limit as to age, in case of juveniles that are received?—I scarcely know that. Whoever the court sentences, we have to receive.

10201a. Have you many juveniles in the prison?—Sometimes we get a few of the ages of 18 or 19, but scarcely any below that.

10202a. Have you occasionally prisoners removed to your prison from the Reformatory, who are found intractable?—Sometimes.

10203a. Those might be below the ages of which you have spoken?—I think not below 17 or 18.

10204a. Is any record kept of the previous habits of those people as to whether they had been temperate or intemperate?—When he arrives he is asked a number of questions in respect to his nativity, place of residence, age, habits and his religious denomination, and whether he is married or single. These questions are asked each prisoner, and of course we keep that record.

10205a. What do you find the result to be, as to whether the previous habits of your prisoners were temperate or intemperate?—The subpoena that was sent to the prison called for a statement of some matters, and I have brought it with me. The statement covers the last ten years, and it specifies whether they were of temperate or intemperate habits, according to the description they gave of themselves. I now produce that statement.

STATEMENT showing the number of prisoners received and discharged, with cost of maintenance per year, from 1st October, 1884, to 30th September, 1893.

Year.	Yearly Maintenance.— Expenditure.	Committed during the year.	Remaining in custody, 30th Sept.	Drunk.	Drunk and disorderly.	Temperate.	Intemperate.
	\$						
1884.....	55,258 57	723	335	100	12	85	638
1885.....	58,667 07	761	360	38	4	144	617
1886.....	58,369 78	594	287	18	8	133	461
1887.....	55,500 00	862	316	178	12	204	658
1888.....	64,857 52	699	346	50	10	112	587
1889.....	65,871 83	739	352	34	13	100	639
1890.....	68,811 61	714	341	35	9	143	572
1891.....	65,955 63	671	337	38	8	118	556
1892.....	60,701 81	598	283	21	16	108	490
1893.....	59,838 97	630	303	23	5	127	505

10206a. You say these statements as to the prisoner's previous habits are given by themselves?—Yes, we take their own statement as to whether they were temperate or intemperate, married or single, and so on.

10207a. I see you have columns for "drunk" and "drunk and disorderly." Do you mean that these people were committed for the offences of drunkenness and of disorderly conduct?—Yes.

10208a. And the sentences were sufficiently long to have them sent to the Central Prison?—There are some years when out-door work would be pressing, that the Government would transfer a number of short term prisoners from the common jail.

10209a. But no man is transferred from the common jail unless his sentence is 60 days or upwards?—We have had them when the sentence was for 30 days.

10210a. The reason why these are so few compared with the total number, is that it is only in exceptional cases that they are brought to the prison?—In some years there are more than others. This past year we have had very few.

10211a. I notice there was 630 committed to the prison during the last year ending September 10, and of these only 23 are put down as drunk, and 5 as drunk and disorderly?—There have been very few during the year.

10212a. Have you reason to believe that the statements of these men are true regarding their previous habits?—I think so in general. Sometimes I have met with a man who, on being asked the question whether his habits were temperate, answered, Yes. I would say, "Have you been convicted before?" the man would answer, "Yes." I would ask what for, and he would answer, for drunkenness. So I can scarcely say that their statements are reliable in every instance.

10213a. Have you noticed whether the prisoners ever plead that they committed the offence when under the influence of liquor, in order to mitigate the punishment as an excuse?—Almost every prisoner endeavours to find some excuse in order to lessen the penalty. Some of them say, "If I had not been drunk I would not have done it." But they are all inclined to find some excuse outside of themselves.

10214a. From your knowledge of these people, do you believe that the imprisonment of a drunkard for a short space of time has any reformatory effect upon him?—I am afraid not.

10215a. In the case of prisoners of that kind would it be better to commit them for a longer term?—I think it would. There is a reformatory influence in a lengthy term.

10216a. Some persons are advocating the establishment of institutions in which drunkards could be committed for a long term in order that they might be reformed in their habits. Do you think that your prison, with the discipline that prevails, and the work that is carried on there, would answer for that purpose if the men were condemned

MATTHEW LOGAN.

to sufficiently long terms in it?—I think it would have a good effect. I have asked some of the prisoners who were drunkards, after they had been in for a length of time, say the twelve months men, "Have you any desire for drinking liquor?" and the answer would be, "No, not while I am here."

10217a. Do you think it would be important in such an institution, that the men should be required to work?—Yes, we cannot reform an idle man.

10218a. Have you ever made an estimate of the causes to which their intemperate habits may be traced?—I suppose there are numerous causes for it.

10219a. The Governor of the jail for the County of Oxford told us the other day that he considered there were three causes of criminality: First, idleness; second, intemperance; and third, sensuality. What do you think of the classification?—Perhaps it is a very good one, but there are a number of causes that may be assigned for criminality. I think a certain class of criminals, what I call the high toned criminals, are sober men.

By Mr. Clarke :

10220a. What do you mean by that?—Those who would not stoop to a small matter. For instance, men who break into a bank we scarcely find to be drinking men. They would not associate with a drunkard.

10221a. Do you find intemperate men committed for such offences as forgery?—No, I think not. What we call smart cracksmen are generally sober men.

By the Chairman :

10222a. And what do you say about the previous habits of men who have committed forgery?—I am inclined to think that either liquor or some other vicious course of life, has led them into that. I had no reference to them when I spoke of cracksmen.

By Judge McDonald :

10223a. You speak of the expert criminal?—The expert thief. As a general thing they are sober enough.

10224a. Have you held any official position in connection with the administration of the License Law?—No.

10225a. Have you had any experience of a prohibitory law?—No.

10226a. Have you lived in any community where a prohibitory law was in force?—No.

10227a. Personally, do you favour the enactment of a law prohibiting the manufacture, importation and sale of intoxicating drinks for beverage purposes?—I think the smaller compass it could be driven into, the better.

10228a. Would you favour the enactment of such a law?—If it could be carried out.

10229a. What is your opinion as to its capability of enforcement?—I think it is difficult to carry it out.

10230a. In case such a law were enacted, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think they are running their business on business principles, like every other class of society.

10231a. If a law was passed to stop their business, should they be remunerated for plant and machinery rendered useless?—I hardly think so. If a man fails in business in another line, he has to suffer loss. For instance, if a wholesale firm break down, they are running their risk as business men, and I suppose the brewers and distillers are in the same position. It is a business speculation.

By Mr. Clarke :

10232a. If they failed in business it would be a different thing. Supposing they were told that after a certain time they would not be permitted to manufacture any more liquor, and supposing that previous to that time they had been licensed by the Government and compelled to comply with certain restrictions, would it be reasonable then to compensate them for the machinery and plant that would be rendered useless?—I have not a very clear idea of that matter, but it strikes me that their license only

runs from year to year, and I suppose the public would have a right to say to them at any time, "You will not get a license another year."

10233a. But the distillers are compelled to keep liquor for two years after it has been distilled before they can sell it; they have to have a lot of vessels and keep a large quantity on hand. Now, supposing they were told that at the end of two years from a certain date their business would be closed up, that they would not be permitted to manufacture any more spirits or beer, would it be reasonable or just that the people of Canada should be called upon to compensate them for the plant and machinery that would be rendered useless by the enactment of a law stopping the manufacture altogether?—From what I know of the matter, I would scarcely like to risk giving an opinion. But I would be inclined to class them along with persons in other lines of business. Everybody takes a certain risk, I think. Still, I have never given the matter much consideration.

10234a. In this classification you use the word "intemperate." What definition do you place upon that word?—The habit of drinking to injure themselves.

10235a. And those whom you classify as temperate, are they total abstainers?—They are men who drink so trifling a quantity that they would not injure themselves.

By Judge McDonald:

10236-7a. In respect to these proposed institutions for the commitment of persons who are habitual drunkards, do you think in such institutions it would be advisable to treat these people specially or medically as for a disease?—I think it would be well, if there is any method by which they can be helped.

By Mr. Clarke:

10238a. Would you treat alcoholism as a disease?—I think that a large amount of pity should be expended upon them. Men who cannot refrain from getting drunk deserve to be pitied, and any help that can be given them should be given.

By the Chairman:

10239a. Could they be separated in the Central Prison and treated in the way which has been suggested? Is there such accommodation as would permit of that being done?—As it is at present it would not be easy to treat them separately, but perhaps some additional arrangement could be made.

10240a. In a great many instances, we have made inquiries of judges and others, who have spoken strongly in favour of the establishment of inebriate asylums, in which drunkards could be confined and treated?—I think it would be well.

10241a. Then you think this procession from the street to the police station, from thence to the Recorder's Court, and from the Recorder's Court to the jail, and from the jail back again to the street, does not work any reformation?—None whatever. These short term men come to our place, broken down from the want of care and from liquor, and 30 or 40 days' abstinence fits them up again to make a fresh start. I would say that longer terms would be an improvement, and if there was such a thing as an asylum for them, it would be still another great improvement, especially if they were made to work, and in this way they could probably earn their own living.

10242-3a. There is no reason why they should not work, I suppose?—No.

By Mr. Gigault:

10244a. Have you studied the criminal statistics of this province?—I have not

10245a. I have here a report by Mr. Chamberlain, the Inspector. I suppose you have read it?—Very likely.

10246a. He says in his report:

"The question is often asked, how can the existing evil of intemperance be remedied? * * * It is true that a great reduction in the number of committals 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 undoubtedly 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 sup-

MATTHEW LOGAN.

pressing the liquor traffic depends upon the present mode of attack, 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 people 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 I believe it will be far more effectual than any arbitrary legislation at the present time."

What do you think of the advice of the Inspector? Do you approve of his observations?—Yes, I think so.

10247a. Do you think that by arbitrary legislation, he means prohibition?—I did not follow him very closely.

10248-9a. He suggests several methods of putting a stop to the evil of intemperance, and he says:—

"These are the lines upon which I think the most good can be accomplished, and I believe they will be far more effectual than any arbitrary legislation at the present time."

10250a. He does not give prohibition as one of the means which should be resorted to in order to remedy the evil of intemperance?—It is a subject that I am not prepared to say a great deal about. I repeat what I have said, that the smaller compass the liquor can be driven into, the better for the people. As to the means of doing that, I am not prepared to say a great deal about it. Some people look at it in the way of a reduction of licenses, and some in the way of prohibition. As the Inspector says, they are educating the rising generation, and that is a very good thing.

By the Chairman:

10251a. My colleague is anxious to know your opinion as to the merits of the two plans—one is moral suasion, generally so called, and the other is coercive legislation. Which of the two do you think would be most effective?—If prohibition can be enacted and carried out, I think it will be the most successful.

By Mr. Gigault:

10252a. If prohibition could not be carried out better than the Scott Act has been, how would you like it?—I saw something of the operation of the Scott Act at one time. I think that the Scott Act was carried out wherever the people chose to do it, wherever the people were honest enough to carry it out.

10253a. Why was it repealed in so many counties?—Because the people did not want it.

10254a. They did not want it because they did not want intemperance to continue?—I think so, I would infer that much. Of course I can scarcely speak for other people. But if I wanted to get drink I would work and vote to do away with the Scott Act.

10255a. Do you know if crimes have increased or decreased in this province?—They are very fluctuating. We are in the habit of ascribing so many causes to crime that it is very difficult to specify.

10256a. The Crooks Act has had the effect of reducing the opportunities for procuring liquor?—I suppose it has had a good effect in every case where it prevented the sale of liquors, I am certain of that. The less liquor that is sold and used, the better for the community.

10257a. According to this report I see that in 1874, which I think was the year the Crooks Act was adopted, the total number of prisoners committed to the common jails of this province, was 9,488; and in 1892, it was 9,011. Although the population has increased since 1874, there is a decrease in the committals of prisoners to the common jails for the province?—If you take any period of ten or twelve years, you will see that the number of criminal convictions fluctuates, it is very difficult to say why. It not only fluctuates from year to year all over the province, but in particular courts, so far as I can see. I do not think it would be safe to put the fluctuation down to any particular cause.

10258a. But do you not know as a fact that crimes have decreased in this Province?—I am not well able to say. In the Central Prison we have probably a few prisoners more now than last year; at other times we may have less.

By the Chairman:

10259a. But there has been a large increase in the population?—Yes.

10260a. Would the number of convicts per thousand of the population be much less this year than it was ten years ago?—It should not be.

10261a. Do you think it is less now than it was ten years ago, in proportion to the population?—I think it is somewhat less. There is a great deal of good work being done in our common schools and by temperance societies, that was not being done ten years ago, and something is to be attributed to their work.

10262a. Is there anything to be attributed to a more strict enforcement of the law?—I have had something to do with these societies at one time, and I have noticed we have had a large number of convictions when the societies were working very hard, and we have had a lesser number when the people improved in morals; so I think that the number of convictions does not always run on a level with these reformatory agencies. I think there is no doubt that intemperance is a great evil to the country, and is largely productive of crime.

By Mr. Gigault:

10263a. Have you lived in counties where the Scott Act has been in force?—No.

By Judge McDonald:

10264a. What was your occupation before you became an official of the Central Prison?—I was Chief of Police in Hamilton.

10265a. Were you the predecessor of Mr. McKinnon, who is there now?—No, after Capt. Henry.

10266a. How long did you hold the position of Chief of Police there?—About a year and a half. Altogether I was fifteen years on the Hamilton Police.

10267a. You made a remark as to the prisoners confined in the Central Prison for burglary and such offences, what are called professional criminals, not being men of intemperate habit. How far would that remark apply to your experience as a Police official?—The smart cases were all temperate men.

10268a. Did you find when you were connected with the Police Department, that a good many petty crimes, such as larceny, were committed directly in connection with the drink habit?—Yes.

10269a. Such as stealing some small article so as to sell it and with the proceeds buy drink?—Yes.

10270a. Did you find that a good many cases of common assault might be attributed to drinking habits upon the part of those who committed them?—Yes, and a large number of cases of assaulting the police were the results of liquor.

10271a. Taking the class of people who carry on gambling dens and who gamble at fair times, and so on, how are they as to their habits?—I think there is a good deal of drinking done among them.

10272a. From your experience as a police officer, do you deem it advisable that the sale of liquor should be excluded from billiard halls, bowling allies and such places?—Yes. One thing that struck me very forcibly for many years, was the picture of a saloon upon a corner, and children going to school and returning from it, stopping to look through the window and see and hear what is going on, when their ears catch some very foul language. These places seem to be attractive to the youngsters. I have chased them away hundreds of times, but they have a fondness for them. I think they are a source of evil influence because what the ear and eye get accustomed to, the mind gradually comes to accept.

10273a. In case of a law doing away with either saloon license or the hotel license, which would it be better to dispense with?—The hotel license being accomodation for the public in general, I think I would retain it sooner than the saloon.

MATTHEW LOGAN.

By the Chairman :

10274a. I observe in this return you have put in that the number of prisoners received in 1884 in the Central Prison, was 723?—That is the number received.

10275a. In 1891 the number received was 671?—Yes.

10276a. The population in 1880, I think, was about 1,980,000; and in 1891, 2,113,000. Taking the convicts per thousand of the population, that would show a decrease of about 25 per cent on the average?—Yes.

10277a. Is that not a very marked improvement?—Yes. But as I said before, my impression is that crime fluctuates in the same place and with the same amount of population.

10278a. But there has been a steady decrease since 1887, when the number imprisoned was 862?—You will remember I remarked that some years the Inspector transferred common drunks, or men having light sentences, say of 40 and 60 days, because we required their work; and other years they were not transferred because we did not require their work. He only transferred them for accommodation of the work. That, of course would relieve the common jail of a certain number of men, but it put that extra number on our yearly account.

By Mr. Clarke :

10279a. Do you not find, looking back for 20 years, that there has been a gradual decrease in crime?—Yes, I hope so.

10280a. Is there not a gradual decrease all along the line?—I am not prepared to say that. As far as the Central Prison is concerned we stand nearly the same, with the exceptions of the transfers sent up. If you will look at that sheet you will see we have 303 now, and we had 283 last year, on the 30th September.

By the Chairman :

10281a. You have 303 now, and you had 335 in 1884, a large number with a much smaller population. Would that not indicate that there had been a very considerable decrease in the volume of crime?—It would.

10282a. Then taken in connection with the general statistics of the prisoners in the jails, to which my colleague, Mr. Gigault has referred, do you think the Commissioners would be correct in concluding that there has been a very material reduction in the number of criminals committed to jails and prisons in the Province of Ontario within the last 15 years?—Considering the increase of population, of course the statistics of the prison show that crime has been reduced.

10283a. Have you at any time made comparisons of the prison population of Ontario with those in the same institutions in other Provinces, or in States of the United States?—In the States I noticed that crime is increasing.

10283½a. How does your population in the common jails and the Central Prison of Ontario, compare with the like population in such a State as Maine?—I have not paid attention to their prison population; but I have from time to time noticed that in the large penal institutions on the other side, the number are increasing. I have not paid any particular attention to Maine.

10284a. When you spoke of high class criminals being temperate men, do you mean that they are total abstainers?—I would not be prepared to say that; but from what I have seen of them—and I have conversed with them—they consider that a man who drinks so much as to injure his mind or ability, is not a fit man for the profession. When I say they are sober men, I do not exactly mean teetotallers, but that they are men who will not drink to hurt themselves. The impression I intended to convey was that they do not drink to injure their business.

10285a. Do you consider that the liquor traffic as conducted in this and other cities with which you are acquainted, by the hotels, saloons, and shops, has any effect upon the morals of the community, injurious or beneficial?—It must be injurious. I remarked a little while ago that on many occasions I have had to chase away, in fact coax away, children from hanging round saloon doors where the conversation was not fit for them to hear, and the drunken people not fit for them to see. I think as far as morals are concerned. that there are very few moral lessons taught in saloons.

10286a. Has any better mode of conducting the license system occurred to you, if it is to exist at all?—I think it would not be possible to make much improvement on our saloons as long as they keep liquor, and gambling goes on inside.

10287a. Do you consider that the present system is more injurious than a prohibitory law inefficiently enforced would be?—I am scarcely able to form an opinion upon that. It is a wide question. Of course a law that is not carried out is useless, but if a law is enacted, why not put the machinery at work to carry it into effect?—A law broken by everybody is not a law at all, it is only one in name.

10288a. And the effect on the community of such a state of things, in your opinion, is what?—Just as bad as the saloon, every whit, if the law is not carried out.

10289a. Do you consider that idleness leads to intemperance, or that intemperance leads to idleness?—Intemperance leads to idleness, I think; though there are a good many workmen who work very hard, and who drink. I think it is a difficult matter to make an iron rule in regard to these matters.

10290a. Do you think that men are more liable to acquire the habit of drinking to excess when they are poor, than when they are fairly well to do?—I scarcely know. Some people can take a quantity of drink and go home and keep quiet, and another class go into the streets and make a noise. We see more of the latter class than of the former.

10291a. You are not prepared to say which condition is the most likely to lead to intemperate habits?—I am not able to say, I am sure. I have seen both classes addicted to liquor. I have no means of knowing which would be the most numerous. I do not think that intemperance is confined to either the poor classes or the rich, when the habit is once formed.

10292a. Is it your opinion that with honest and efficient officials, any law passed by the Parliament of Canada could be efficiently enforced?—In reference to any liquor law, I think they are very generally broken—at least such is my recollection of years ago. I cannot say what they are in Toronto now, for I have not an opportunity of knowing; but I remember years ago when three out of five of the licensed tavern-keepers would open their doors on Saturday night and Sunday, and a large number of acquaintances would call and get liquor. I think the law in those respects was not well observed anywhere years ago. Of course, I am not speaking of Toronto at the present time, because I have no opportunity of knowing.

By Mr. Clarke :

10293a. Did you notice during the period the Scott Act was in force in many counties in Ontario, that there was any appreciable diminution in the number of prisoners sent up?—I am not able to say. From some counties, for instance the County of Halton, we scarcely get three prisoners in the year at the Central prison.

10294a. There would not be much difference then in the numbers during the Scott Act period as compared with the license period?—No.

10295a. In 1887 there were confined in the Central 178 men for drunkenness. Your explanation of that is that you were short of labour?—Yes, and they were called up from the common jails.

10296a. This had no connection with the fact that the Scott Act was in force in a large part of the Province?—It was just caused by the transfers.

By the Chairman :

10297a. I notice that the commitments in 1886 were 594; and in 1887, which was about the last year the Scott Act was in force in many counties in Ontario, there were 862, or an increase of 268?—That would be about the time when we were running our brick yard. No doubt there was a large number of transfers of 30 and 40 days—men from all through the province. I think that explains the increase.

By Mr. Clarke :

10298a. If these men were not in the common jail for drunkenness, you could not bring them up to the Central?—We could not have had them.

MATTHEW LOGAN.

WILLIAM H. ORR, Insurance Agent, Toronto, recalled :

By the Chairman :

10299a. I think you stated in your evidence yesterday that you had some statistics you desired to put in. We shall be glad to have you read them to us?—I have put what I wanted to say in writing so as to make it brief.

I am one of ten citizens who established the Central Lodging House in this city three years ago, with a view of providing poor men with beds and a bath, if wanted, at a nominal fee of ten cents. There is a mission work connected with it. The father of one of its directors is now erecting a \$40,000 building for the lodging and mission, on the corner of Queen and Jarvis Streets. There are several other such refuges in the city ; but this one last year furnished about 30,000 nights' lodging to people unable from drink and poverty to pay more than 10 or 15 cents for a night's rest. Such a work would have been entirely unnecessary but for the drink traffic. The other similar refuges would be more than enough to shelter the poor of a larger city than Toronto if the legal drink temptation were removed. The following figures copied last evening from the books of this lodging house, amply prove that the convenient opportunity to get liquor is the crying evil in Toronto, and that when no liquor is legally sold this class of people can preserve sobriety and can be restored to usefulness.

TORONTO CENTRAL LODGING HOUSE.

STATEMENT of number of patrons each night from Saturday, October 14th, to Monday, October 23rd, 1893, inclusive.

Date.	Admissions.	Drunks.
October 14, Saturday.....	57	6
“ 15, Sunday.....	53	0
“ 16, Monday.....	56	5
“ 17, Tuesday.....	52	7
“ 18, Wednesday.....	62	4
“ 19, Thursday.....	56	5
“ 20, Friday.....	57	3
“ 21, Saturday.....	63	5
“ 22, Sunday.....	59	0
“ 23, Monday.....	56	7

Many are seriously under the influence of liquor who are not classified as drunk or put in a separate room. During the winter season the beds occupied increase to about double the above numbers, and with a similar proportion of persons helplessly intoxicated. On Sabbath evening they all come in early and seldom show the least signs of having obtained liquor during the prohibited hours.

The Toronto Coffee House Association is another agency which has done a vast deal in bringing about a reduction of the drink evil in our city, and to show that it is not necessary that restaurants should sell liquor for support. Thirteen years ago, it was almost impossible to find a place where a busy man, or clerk, could step in and get a decent lunch without passing through a bar-room reeking with the fumes of beer. This is now entirely changed. There are now about 150 such places as the Coffee House, but on a smaller scale, scattered throughout the business portion of the city, all following in the path led by it. The Coffee House Association had intended to plant dozens of branches, but finding private enterprise taking the matter up, it confined its work to two permanent premises on King and Queen Streets. It has earned about 12 per cent per annum on its capital stock during the thirteen years of its operation, and every year shows a marvellous increase in the number of its patrons.

King Street, in the year, say.....	\$45,000
Queen Street.....	32,000

I may add that those classed as drunks in the above figures, are really helpless people. A great many who are under the influence of liquor are not classed so.

10300-1a. Is the sale of liquor in Toronto, on Saturday night and Sunday, a legal sale? You speak here of the legal sale?—There are a class of people who would be likely to get liquor illicitly if there was any chance of doing so.

By Mr. Clarke :

10302a. These rooms are managed by a Board of Directors, are they not?—Yes.

By Judge McDonald :

10303a. Do they make an annual report?—Yes.

10304a. Could you send us a copy of the report?—Yes, I intended to bring some, but I omitted it. I will send them in to-morrow.

10305a. I suppose they show a financial exhibit in connection with these institutions?—Yes, the report shows the income and expenditure on both of them. At the annual meeting the number of meals furnished is always stated for the benefit of the stock-holders, but I see it is not printed in the last report; and I went to the Coffee House this morning and got an approximate number.

10306a. It is gratifying to observe that on neither of the Sundays given in your statistics, did any person come in under the influence of liquor. I find that upon Saturday, October 14, six came in who were drunk, and on Saturday, October 21, five. Were any of those persons admitted in the evening hours?—All were admitted in the evening.

10307a. Up to what hour?—No names are taken down, nor the condition registered, until nine o'clock in the evening. They commence at nine o'clock to come in, in the majority of cases, and we record them.

10308a. Are you in a position to say whether the persons who came in Saturday night had or had not obtained liquor during prohibited hours?—We do not know, we cannot tell that.

10309a. I see that none came in on Sunday whom you call drunks. Do you take that as evidence that the provisions of the license law as to non-sale upon Sunday, are strictly carried out in Toronto?—I think they are well carried out. I take that as very good evidence of it, because that does not stand alone, that is only a sample. I can bring you figures for the past two or three years.

10310a. Did you hear the evidence just given by the Deputy Warden of the Central Prison?—A portion of it.

10311a. Did you hear what he said as to the Sunday law being very much violated in Hamilton and elsewhere, when he was on the police force in that city?—I did not hear him say that.

10312a. He did not speak of Toronto, and the question occurs to me—if that is the state of things in Hamilton and other places, and the law is so well observed in Toronto, whether it might not be fairly attributed to the men in the traffic in Toronto, being of the good character spoken of by His Worship the Mayor, yesterday, and that they lived up to the law?—I think that may be partly so. I think that has a beneficial effect.

10313a. That being so, would it be an advantage, while the license law continues, to have licenses issued so far as possible to men of this character and good standing?—That is the foundation principle of the whole business.

By Mr. Clarke :

10314a. Do you approve of that principle?—Certainly, as long as the license system continues; but you must not quote me as approving of the license system in itself.

By Judge McDonald :

10315a. That is, if there is to be a license law, you think it is well to put the traffic into the hands of as good men as you can get to take hold of it?—Yes. Allow me to give you one instance. A friend of mine has had a license for a good many years. The reason he takes a license is that there are only two licenses given in his town, and he always takes one so that there shall be no bad business around his place. But he has no more notion of selling liquor than I have. He says that is the only way of keeping a decent hotel.

WILLIAM H. ORR.

10316a. He takes a license but he does not use it?—No.

10317a. Is it a hotel at which travellers stop?—It is a summer hotel; but at the same time if the license was taken by somebody else in that village it would be used all the year round to the detriment of the people.

10318a. When these people came into the Home you have been speaking of, are they ever found to have any liquor with them in flasks?—It would be taken away from them if they had, unless they had it somewhere in their pockets where it was not seen. We do not search their pockets unless they are drunk and do not behave themselves. Of course if we found one furnishing liquor to the others, he would be interfered with.

10319a. Do you trace those patrons of the Central Lodging House after they leave it, to know whether they leave the city or remain?—As a rule they are very nearly the same persons, with some fluctuations.

10320a. Is it found at all that the men who come in upon Sunday sober, come drunk upon any other days?—That is the case. There are many of them who cannot stand the temptation of passing an open liquor place if they have got money in their pockets.

10321a. So on week days they turn in and get liquor?—Yes, the temptation is in their way; on Sunday it is not.

10322a. You cannot say where they get it Saturday night?—Probably they get loaded up before seven o'clock and stagger in there about nine.

10323a. If they were loaded up before seven, do you think the police would permit these men to be staggering about up till nine o'clock and not take some charge of them?—Yes, I think so.

10324a. Speaking of the Coffee House, it is certainly a splendid agency. What class of people go there? Do you find workmen go there?—Yes, largely. It was established, I may say (because I was one of the originators of it) almost exclusively for their benefit; but as it was found to be yielding a little profit, that profit was applied in improving the cutlery and everything connected with it, and moving it up to a more central place. It is now in what used to be the old Methodist Book Room on King street, a fine establishment, and a great many of the better class of people come there for lunch now.

10325a. You find there has been an improvement in the way in which it has been carried on the last few years owing to this change?—Yes. It was started at first near the market so as to give lunch to people that came from the country, and the labourers in the neighbourhood, so that they would not need to pass bar-rooms to get their lunch.

10326a. Are there not other places in the city carried on by men for business purposes, where a decent lunch can be got without passing through a bar-room?—As I said, there are about 150 such places, but when we started this institution there were probably none. I remember at that time I searched myself for such places without hardly finding any.

10327a. Do you mean to say that before this Coffee House was established there was no other place in the way of a restaurant in which people could get lunch without going through a bar-room?—I do not know of any that existed at the time. I am not speaking of the down town neighbourhood among the business population. There was one up on the corner of Queen and Yonge Streets, Mr. McConchy's, I think, and there was one very near the Rossin House, by Mr. Coleman. But these were not in existence at that time as lunch counters. The only one I knew run on a temperance basis was a place called, I think, the Excelsior, nearly opposite the post office on Adelaide Street.

By the Chairman:

10328a. Were there no confectioners places where lunch could be got?—A thing of that sort was almost unknown 15 years ago; but since the Coffee House Association started, the business of furnishing lunches has been considerably developed.

By Mr. Clarke:

10329a. Has there been much development in the temperance hotel business during the last 15 years?—No, not much, unless we count in the large boarding-houses as

hotels. Some of those gave accommodation just for the day or night, in competition with liquor hotels.

10330a. How many recognized temperance hotels are there in the city?—Except the Robinson House and the Lucas House, I do not know any others that have existed for any length of time, that could be called temperance hotels. The Robinson House is reputed to have earned more money for its proprietors than any other hotel in the city.

By Judge McDonald :

10331a. As a man who makes a study of those matters, can you account for the fact of there being in a large city like Toronto so few temperance hotels? When I use the word temperance hotel, I mean hotels that do not take out a license?—I think, perhaps, it is owing to our having a few very good hotels.

10332a. Has the Robinson House been in existence for a great many years?—Yes.

10333a. Has it been enlarged to any extent?—I think not.

10334a. We have it on all hands, and I think from yourself, that the temperance sentiment and the temperance habits of the community have been constantly increasing, we find it all over the Province wherever we go?—I think so.

10335a. Would you not suppose, as a natural outcome of that state of things, that there would be a larger provision made in the city of Toronto in the way of non-license hotels?—I think there is nothing that would pay better just now than something of that kind.

By Mr. Clarke :

10336a. But if these large profits have been made by keepers of temperance hotels, would not there likely be competition in that line?—I think you said the Robinson House was one of the most profitable hotels in the city?—Yes, and I think that is because it has been a steady growing institution, and the money it has made has not been squandered in any way, but has been saved and taken care of. But I do not know how to account for the fact that it has not been increased in size.

By Judge McDonald :

10337a. We find that the larger licensed hotels have busses and porters at the trains to meet visitors. Now, do you know of any temperance hotel in the city that does that?—No.

10338a. Is there anything that will enable a total abstainer coming to the city who wishes to go to a house where liquor is not sold, to know that there is any such place here unless he has been previously acquainted with it?—No.

10339a. We are told that one difficulty about temperance hotels, non-license hotels, is that a great many total abstainers do not go to these houses when they know of them, that they prefer the other kind of houses. What has been your experience in that way?—I do not think it is exactly correct. I think it is accounted for largely by this fact, that the licensed hotels are kept in pretty good condition, and temperance men like everybody else, are easy men, and do not trouble themselves to hunt round and find a hotel that would suit their principles better.

10340a. The hotel does not seek them when they come to the city, and they do not seek it?—Exactly.

10341a. Is that business?—I do not think it is good business.

10342a. Is that carrying out strict temperance principles with a view of making them a success?—Everybody knows his own business. If I was a hotel-keeper I would have a good hotel without any liquor attachment.

10343a. Suppose a man starts in keeping a hotel, his principle will not allow him to take out a license, and he desires to make it a success. You may say, if he does, he ought to have his runners at the station, but he does not do it. Should not that man receive the sympathy and support of temperance men?—I think so.

10344a. Do you think that they do receive it?—I think they do to a considerable extent, so far as they are known, or make themselves prominent. But of course I am not apologising for men who have not got good business talents.

WILLIAM H. ORR.

10345a. Take the Robinson House, it has been in existence a great many years, I believe?—Yes.

10346a. It is well known in the city of Toronto and throughout the Province?—Yes.

10347a. Are there not a great many temperance men who come to Toronto and who never go near it?—Certainly, but I understand it has a very good patronage and is a very good paying hotel.

10348a. Is it now carried on for the entertainment of travellers, or as a boarding-house?—Both. Some of my friends stop there who are of the class that would not go to a liquor hotel if they could find a temperance hotel. Such people, do generally put up at that place; and a great many, of course, do not take the trouble to look any further than the Walker House, or the Rossin House, or the Queen's.

By Mr. Gigault :

10349a. Is Toronto very orderly on Sundays?—I think it is.

10350a. Do you believe that the prohibitory clauses of the license law contribute in maintaining order on Sunday in Toronto?—Very much indeed.

10351a. Do you condemn the moderate use as well, as the abuse of liquors?—Of course, moderate use is the term that is generally used, but for my part I hardly admit any such thing as moderate use.

10352a. I asked if you condemned the moderate use as well as the abuse?—Yes, I condemn both, because I do not find anybody using it immoderately who has not first been educated in the moderate school.

10353a. Do you believe the moderate use of liquors is immoral?—To an enlightened conscience it is; to an African, or somebody who has not got much conscience, I do not think it is. An African may get drunk every day, and I do not think there is any question of morality at all in his mind.

10354a. Do you think the Act of taking a glass of cider immoral?—I do not think that it amounts to anything in connection with my testimony here to answer those fine questions. For me it would be; for some others, it might not.

10355a. I think it is important for us to know on what principles you advocate prohibition, whether you want to do away with the abuse only of liquors, or whether you want to do away with the legitimate use only?—I do not wish to do away with any other poisonous drugs. Alcohol is a poison; it has its legitimate place in the drug shop and in medicine, and in the mechanical arts. I do not want to do away with the legitimate use of it. It will always have to be manufactured for those purposes. My objection is that the sale of it is a drunkard making business, and is turning out men who are unfit for work of any kind, men whom I do not employ in my business and none of you would employ in yours.

10356a. Would you not employ a man who made a moderate use of liquor?—Yes.

10357a. Do you think the moderate use makes him a bad servant?—Does it hinder him from being a good servant? Not always, no. It does not incapacitate him until he pays too much attention to that branch of his work, and neglects the branch that I want him to do.

10358a. Do you not think it is only the abuse which incapacitates him and makes him a servant?—I think that any use of liquor as a beverage is an abuse of it. Under medical prescription, I think it has its place. A man or a woman can properly, and rightfully, and conscientiously take some liquor when prescribed by a physician; but it is dangerous for a man to go into the business of using liquor moderately on his own account.

10359a. Did I understand you to say, yesterday, that you would even prohibit the importation of liquors for the private use of the importers?—Well, I believe I would; that is to say, if the evil that we now complain of was not vastly diminished, I would deem it proper to do that. If the evil still continued through people importing it and using it in their own families, then I think there ought to be something done to alleviate that evil.

10360a. Do you believe the Canadian Parliament should adopt a law which would prohibit the importation even for the private use of the importer?—I think so, eventually.

I would be quite willing to accept the mere prohibition of the traffic for the present, but I think it needs to come to prohibition of the importation for private use in the end, when sentiment has been properly educated to it. Perhaps sentiment is not ripe for that now, I do not know about that.

By Mr. Clarke :

10361a. Do you believe sentiment is ripe for the milder measure of prohibition you are advocating now, the prohibition of the traffic?—I think so; I think the large majority of the people of this Province are in favour of it. You will find that out better on the first of next January.

By the Chairman :

10362a. I observe in this paper you have put in, that you speak of the legal drink traffic as causing all the evils which you refer to?—Yes.

10363a. You say in one place: "The following figures, copied last evening from the books of this lodging-house, simply prove that the convenient opportunity to get liquor is the crying evil in Toronto, and that when no liquor is legally sold, this class of people can preserve sobriety and can be restored to usefulness." On what do you found that statement?—On a long series of repetitions of just such figures as you have before you in connection with that institution, and others that I am connected with also, for which I cannot get figures just now.

10364a. The traffic is illegal in the State of Maine. Do none of the evils which are referred to in this paper, so far as you know, exist in the State of Maine?—Well, I feel morally convinced they exist only in connection with violations of the law.

10365a. But the point I want to get at is whether you are quite justified in attributing the whole of these evils to the legal sale of liquor?—I am speaking of Toronto. I do not think that the illegal sale of liquor in Toronto amounts to much of an evil.

10366a. Do you think if you had prohibition you would have no liquor in the city of Toronto?—Oh, no.

10367a. Do you think if you had liquor at all, that some of these evils would not occur?—In some isolated cases, probably. But the legal temptation would not be there constantly.

10368a. Then, can it properly be said that it is to the legal sale of liquor that these evils are to be attributed?—In Toronto, that is largely so.

10369a. But you do not qualify it. You say here: "When no liquor is legally sold this class of people can preserve sobriety and can be restored to usefulness"?—Well, I have furnished evidence of it there.

10370a. That would be the case if there was no liquor at all. I suppose you mean if they can get no liquor?—The illegal sale of liquor in this city, as I understand it, is surreptitious, under ground, quiet; if anybody wants to go to church he has not got to smell liquor on his way, or to a mission hall, or anything of that kind, on Sunday. The illegal sale does not amount to much in the way of tempting people.

10371a. Of course, if all licenses were done away with in the city of Toronto, any sale would be illegal. Would that necessarily imply that there would be no liquor in circulation, that none of the crimes or misfortunes which you refer to in this paper, would then arise?—I think so, provided there was a police force in sympathy with the execution of the law. There is everything in that. I think we have a sufficient police force to make every day in the week the same as Sunday is now with regard to liquor.

10372a. Now, can you mention any place where such a state of things as you desire, really exists?—I think I could mention several.

10373a. Where they have a prohibitory law?—Yes, or have had up to a recent period. Vineland, New Jersey, and Pullman, near Chicago, are places of that character

By Mr. Clarke :

10374a. What population have they?—I have not seen the figures of the population. I think Pullman must have something like 25,000 or 30,000.

WILLIAM H. ORR.

By the Chairman :

10375a. Pullman is an exceptional place. The whole place belongs to the Pullman Company, and it is controlled by the company?—Another place is called Gibson, in New Brunswick.

10376a. Have they no poor there?—I have never been in the place myself.

By Mr. Clarke :

10377a. What about Ashbury Park? Is not that right alongside Vineland?—No, it is a good way from Vineland.

10378a. How far?—I do not know so much about Ashbury Park as I do about Ocean Grove, which is just on the other side of a little creek. They are both practically almost one place. Ocean Grove I know is under total prohibition, not only so far as the sale of liquor is concerned, but as far as the sale and smoking of tobacco on the streets is concerned. I have been there four or five seasons, and a cousin of mine keeps a hotel there. There are any number of hotels there, but no one ever thinks of selling liquor there.

10379a. Is this prohibition still in force in Pullman and Vineland?—Yes. I do not know about Vineland, I fancy there has been some change. I think the legislature has forced a license or two on them.

10380a. Against their wishes?—Yes.

10381a. Notwithstanding the benefits that accrue from the prohibition?—Yes.

By the Chairman :

10382a. Do I understand you to conclude that if there was no liquor sold in the city of Toronto, there would be none of those evils you speak of in your paper?—That is my belief.

10383a. But as long as liquor could be got the probability is that some of the misfortunes, referred to in this paper, would exist?—Not in any permanent form, they might incidentally, just as the crimes of theft and murder are committed sometimes. But they are not legal or done in a wholesale way, they are purely incidental.

By Judge McDonald :

10384a. We have found that there are several counties in Ontario which had the Scott Act in force for a period of three years, but in every one of which it was repealed, in most of which after only having been in force for three years. To what do you attribute the repeal of that Act?—Largely, I think, to the fact that it had a three year clause in it which practically kept the liquor seller's hopes alive, and during which three years, they made every effort to arrange matters so that they could get back into their old possessions.

10385a. In case the law against theft and murder was only in force three years, and theft and murder continued to be committed in a county like breaches of the law were under the Scott Act, do you think the people would consent to repeal that law?—Thefts have something like the liquor traffic has at the back of them, that is the desire to make money. I do not think murder would come into that class.

10386a. You did put thefts and murders together, but we will drop the murder and come to the theft?—I want to explain why I classed them together and do still. We have a law against them, but that law no more prohibits murder and theft than the law against the sale of liquor would thoroughly prohibit the sale of liquor.

10387a. Coming back again to the question. Supposing that a law against theft had been carried by the people for a period of three years, after which time they could repeal it if they chose. Do you suppose that at the end of three years there would be a common agreement to repeal it because it had not thoroughly prohibited the crime of theft?—The liquor sellers had a pecuniary interest in working for the repeal of the Scott Act; and so thieves might have an interest in working for the repeal of the theft law.

10388a. Do you believe that personal interest on the part of thieves, or the part of receivers of stolen goods, could ever come to such a point in any county in the Province of Ontario in which the Scott Act was repealed, as to lead the majority of the people to

vote for the repeal of the law against theft?—I do not see that there is any analogy because we could not have any laws of that kind.

10389a. I agree with you that there is not the slightest analogy, but you have drawn the analogy yourself?—Not in that direction. I only drew an illustration, showing that there are laws against these crimes, but these laws do not entirely prohibit. And so under prohibition there might be some cases of violation as mere incidents, or accidents I might say in some cases.

10390a. Now if the sales of liquor under the Scott Act had been as few as the number of thefts are usually under the Act against larceny, and the public sentiment as to the Scott Act had been the same as it is about theft, do you believe the Scott Act would have been repealed?—No, I do not think it would.

10391a. Then there is a difference in the public sentiment as to these things?—Certainly.

10392a. Do you believe public sentiment has anything to do with the successful enforcement of a law?—Something, yes.

10393a. To any considerable extent?—Unless there is a majority of people in favour of enforcing a law, I do not think it would be very efficiently enforced.

10394a. What do you mean when you say "in favour of enforcing a law?" Do you mean when the people are only sentimentally in favour of it, or that they would actively assist in seeing it enforced?—Sentiment at first, and actively assisting afterwards.

10395a. A sentiment which manifests itself in action?—Yes, in electing to the Legislature and to public positions, so far as they have power to elect, persons who will carry out the law, and turning them out if they do not.

10396a. You think if that sentiment gets into active work when the law is carried the law will then be a success?—Yes.

10397a. Supposing it does not; will the law be a success in that case?—No.

10398a. If the law is not a success, would you prefer the state of things under a license law such as you have in Toronto, or would you prefer a prohibitory law upon the Statute-book and not enforced—not enforced in the sense in which you wish it to be enforced?—Well, a very slight enforcement of a prohibitory law would certainly be better than a license law allowing 200 places in the city to sell liquor.

10399a. Do you think it would be better to have in the city of Toronto the Scott Act as it was in the counties in which it was in force, or the present license law?—Certainly the Scott Act as it was in the counties in which it was well enforced.

10400a. Take any county in Ontario of which you have knowledge, in which the Scott Act was in force?—In some counties it was well enforced, and did great good while it lasted.

By Mr. Clarke:

10401a. In which of them?—In the County of Halton, for instance.

By Judge McDonald:

10402a. Have you ever been in the County of Halton?—Yes.

10403a. To what do you attribute the repeal of the Act in the County of Halton?—To the fact that the two political parties were so violent that a very little unpleasantness over the enforcement of the Scott Act caused it to be knocked out.

10404a. We are told that in the County of Halton the assessed value of the county increased; we are told that it was almost impossible in the whole county for a man to get liquor, we are told that in the Town of Milton every house except the county jail was occupied—in fact, that the results of the Scott Act were of very great benefit to the community. Now, it occurs to me that under the circumstances both political parties would be trying to get the advantage of that state of benefit, instead of taking the other line and trying to repeal the law which produced the benefit. How do you account for that?—You know when two people go into the fighting business, they do not often count the cost. Sometimes they go in regardless of consequences.

10405a. Would not both political parties, instead of aiming to get the support of those who are in favour of liquor, aim to get the support of the people who are feeling

WILLIAM H. ORR.

these great benefits?—No. I think political parties, as a rule, try to get the support of both sides. Some of them think they have the support of the temperance people, and then having that safe, as they suppose, they try to get the support of the other parties.

10406a. Do you believe there is a difference in the way in which support is given, as between temperance men and those who are in the liquor traffic?—How do you mean?

10407a. For instance, that the liquor men will work altogether, and that there is division among the temperance men?—I do not think so. I think the liquor party is sometimes divided, and the temperance men are sometimes divided.

10408a. Then how do you account for the repeal of the Act in Halton where those great benefits are said to have resulted from it?—I do not know that it is of very great consequence whether I account for it or not.

10409a. But we want to understand your position. Here is a county where prohibition has been tried, where these beneficial results are said to have been followed, and yet the Act was repealed. Now, you are seeking legislation on the same line for the whole country?—Not quite.

10410a. It is on the same line, but you go further?—Somewhat.

10411a. Would you be willing in the city of Toronto to exchange the present license law as it is carried out, for what did exist in the County of Halton?—I would not be willing to accept of any arrangement for Toronto that would allow the whole city to be turned upside down every three years on this question.

10412a. But supposing a prohibitory law was passed, it might be upset at the end of one year, without waiting three years?—If adopted by Parliament, I do not think it would be repealed the next year. It would not be likely to be upset in one year.

10413a. But can you, under our constitutional system show one instance of Parliament passing such a law, and saying that no Parliament shall afterwards meddle with it?—No, but still if a law were passed for the whole Dominion I think it should get a fair trial before it is upset.

10414a. Do you think that three years does not give a fair trial to the Scott Act?—No.

10415a. How many years do you think are required to give it a fair trial?—I do not say that three years might not be long enough to give it a fair trial, provided there was no provision for its repeal at the end of three years. That was the great weakness of the Scott Act, that it could be repealed every three years. And right here I want to say on behalf of the temperance people, that we never asked for the Scott Act. It was not a creation of ours, it was a creation of the enemy, as it were, because we never asked for any such thing.

10416a. You did not ask for it, but you say it is better than the license law?—I think so, if enforced thoroughly.

10417a. Even as it was enforced?—In some counties, yes.

10418a. Now would you prefer the state of things that existed in Halton under the Scott Act, to the state of things in Toronto now under the license law?—It is hard to compare Halton County with Toronto. If you say Halton County as it was before the Scott Act, then I could answer squarely.

10419a. But you were acquainted with Halton under the Scott Act, and you are now acquainted with Toronto under the license law. Which state of things would you prefer for Toronto?—I would not have it under the Scott Act at all.

10420a. I am not speaking of Toronto under the Scott Act, but under the existing license law?—I have already said that I would not have the city turned upside down every three years on a question of repeal.

10421a. I am asking you to compare the state of things that existed in Halton under the Scott Act with that which existed in Toronto to day?—I do not see how you can make a comparison.

10422a. Then you think you cannot give an answer to my question?—I cannot, I do not think they can be compared.

10423a. Perhaps I fail, myself, to make myself understood. I am asking you whether the state of facts that existed in Halton while the Scott Act was in force, was in your judgment preferable to the state of facts that exists in Toronto under the license law. That surely is a question which can be answered if a man has knowledge of the two places?

— Well, if it is granted—which I am not quite sure about—that there was any amount of sale in Halton during the Scott Act, then of course I would rather have the state of things in Toronto.

By Mr. Clarke :

10424a. If the Scott Act prohibited, you would prefer it ; but if there was a clandestine sale going on under the Scott Act, which would you prefer then ?—Of course I prefer a license system that would keep the liquor in very small proportions to a free sale system that would allow it to be sold next door to my house. I have prohibition within half a mile of my house in every direction, and a drunken man is seldom if ever seen in that neighbourhood. I am sure every body present would object to a saloon or other liquor place next door to where they lived.

10425a. There was a prohibitory law passed in New Brunswick 40 years ago, and there was no provision that it should be maintained on the Statute-book for three years and then be submitted again to the vote of people ?—In New Brunswick they have the Scott Act now.

10426a. This was an Act passed a number of years ago, and in that Act there was no provision for its repeal after three years ; it was enacted as a permanent law like any other ?—We had the same here, the Temperance Act of this Province.

10427a. But that Act was passed in New Brunswick because the legislature of the Province was led to believe, from the tremendous petitions coming in all the time, that the people desired it ; and it was repealed, I think in a year by a special session of the legislature, or a new legislature elected to deal with it. Mr. Tilley, now Sir Leonard Tilley, was the father of the Act, I think ?—Here we simply petitioned for prohibition, and an Act was passed called the Scott Act, which was not at all what we wanted.

10428a. You have mentioned Gibson, Vineland and Pullman as being under prohibitory laws. As far as two of these places are concerned, it is within the knowledge of the Commission that they are owned by corporations. Mr. Gibson testified before this Commission in Fredericton, that if he did not own the land he could not maintain that prohibition. Moreover, so far as our information goes, Asbury Park has become a licensed place. I do not know about Vineland ; you say that there may have been a change since this last year ?—Not on the part of the people of Vineland, however ; I said that.

10429a. The repeal of the Scott Act was due to the votes of the people, and if the advantages that are said to have obtained, really did exist under prohibition, it is difficult to understand why the Act was repealed ?—Well, you have had testimony from all sorts of people on this subject, and their ideas differ on it. I do not suppose you can get any very settled and positive reason assigned for the Scott Act being repealed. It was repealed in one place for one reason, and in another place for another reason.

10430a. But if it was generally productive of good, would these causes have been sufficient to wipe out the Act and lead to a return to the license system ?—We often find that the good is overcome when it ought to triumph.

10431a. Do you know of any movement to re-submit the Scott Act in Ontario ?—Not just now, but the local Option Act has been passed in a number of municipalities. That relates to municipalities, not to counties, and they have that in force in several municipalities throughout the province. We, as temperance people, were pushing that for a while, until the Legislature here put a five-year period into the Act, and we have pretty much dropped it now as not being the thing.

By Judge McDonald :

10432a. Was it at first to be permanent ?—Yes. When it was first enacted there was no provision for its repeal in any township or village where it had been adopted ; but the Legislature has put in a provision for its repeal at the end of five years, which, we think, mars its efficacy very much.

By Mr. Clarke :

10433a. Does it injure the local option law to have a provision put in that a vote can be taken in five years ?—I think so, for the reason that it encourages people who were

WILLIAM H. ORR.

in the traffic to remain in it in a subsidiary way, hoping for an opportunity to resume under the law.

10434a. Was there anything to prevent a vote being taken after two or three years before this amendment was made?—There was no provision for a repeal vote.

By the Chairman :

10435a. Do you know that the city of Pullman belongs entirely to the Pullman Company?—I understand so, mostly.

10436a. I notice that in 1884, the number of electors voting for the Scott Act, in Halton, was 1,947, the majority in favour of it being 180. In 1888, the number voting for the retention of the Act was 1,853, or 94 less than on the first occasion; whilst the total number of votes polled increased from 5,225 to 5,670. Would that indicate that some of those who had voted for the Act originally, had changed their minds?—I think there is no question about that. There were a good many voted for it originally who supposed that after it was carried all the evils would disappear; but they found they did not disappear so quickly as they expected, and instead they found constant fighting going on over the Act to some extent; and they became indifferent and thought they would rather not have that kind of thing and so voted it out. But they are just as ready now to vote for prohibition square as they ever were.

10437a. You think they became indifferent in 1888?—In some cases, I think so.

10438a. I spoke of Halton, because it has been referred to by yourself and others?—They became somewhat indifferent, and the opposite party became more active.

10439a. I think yesterday when you were giving evidence you stated that you would like to see enacted in Canada a law similar to that which exists in the State of Maine. Am I correct?—Yes.

10440a. I am not sure that you did not add²—I do not wish to misquote you—that you would like to see it better enforced?—Yes, certainly.

10441a. Have you paid any particular attention to the law in the State of Maine as to the penalties which are imposed for breaches of the law?—I did sometime ago; but I do not now remember exactly what the provisions of the law are.

10442a. I am justified in saying that they are most severe. There was even an imprisonment concurrently with fines, or was until quite recently; and in the event of the fines not being paid, further imprisonment. The provisions for preventing the sale of liquor are most elaborate, and certainly if we are to believe the evidence taken in that State, efforts have been most earnest to give effect to the law. It has been on the Statute-book over 40 years, and since it was first enacted there have been amendments made to it, variously estimated from 40 to 60, and almost entirely at the instance of those favouring the law there, General Neal Dow and his friends. Taking the city of Portland, for instance, in one year over 10,000 writs of search and seizure were issued in a population of less than 37,000. A similar state of things we have found to exist elsewhere. Would you not consider that all that indicated a vigorous determination on the part of the authorities to enforce the law?—I would like to know if that 10,000 is repeated annually, or is that only one year after there had been a lax enforcement.

10443a. Perhaps not to the same extent, but there is a very large number every year. In the city of Portland there is a sheriff who is wholly in sympathy with the prohibitory law, and his power extends to employing as many deputies as he likes, and he can go anywhere and search and seize liquors?—Well, Portland is a seaport town, and we have no seaport town in Ontario. There are causes at work there no, doubt, tending toward violations of the law, that we would not be troubled with here.

10444a. What would you say about Bangor, Lewiston and places of that kind?—I have not been in Bangor, at all, but I understand that in some of those cities the municipal Government has got into the hands of the enemies of prohibition, and just what every body might expect, occurs.

10445a. But can you conceive of any other means which could reasonably be taken to enforce the law other than those I have mentioned?—I do not know any other way than through the police force. If the law is violated, it is the duty of the police to enforce it, as it is with regard to almost any law against any form of crime.

10446a. Now, the prohibitory law having existed in the State of Maine for so long, and all these elaborate means for its enforcement having been provided, would you expect to find the arrests for drunkenness in the cities of Maine to be less or more than in cities in Canada where licenses exist?—I should think very likely if the law was generally violated in some of the chief cities of Maine, that the arrests might be more numerous proportionately than they would be in Toronto.

10447a. But would you naturally expect under their prohibitory system, with all the agencies which I have referred to, being applied, and a legislature willing to amend it at the instance of those favouring the law, that the arrests for drunkenness should be as many as they are in such cities as Toronto, or Montreal, or Quebec?—They ought not to be so many, and are not so many in the rural parts of the State of Maine, as I know.

10448a. Statistics in the rural parts, I am afraid, are not to be got with any degree of accuracy, in fact I doubt if they can be got at all; but where they can be got it is possible to make comparisons?—If in some cities of the State in Maine the law is not enforced, and there is a great deal of drinking and drunkenness, undoubtedly one might expect to see a great many arrests for drunkenness, if the law with regard to arrests is efficiently enforced.

10449a. So far as I am able to judge from the evidence we have, the grounds of arresting and dealing with drunkards in most of the cities of Maine, are very much the same as they are in our own cities?—Do they let them go home, if they can go home alone?

10450a. In Portland, after they are arrested, they allow them to go without bringing them before the court, in some cases, just as is done in Toronto and Montreal. That leads me to ask you another question. If the arrests for drunkenness in the large cities of Maine are proportionately as numerous as they are in the large cities of Canada under a license system, can it be said that the prohibitory law has been effective there?—No, not in those places. But I might make the explanation I did a little while ago, that if the law was laxly enforced for a series of years and then a new marshal came in that would make every policeman enforce the law, you might have a large number of arrests for drunkenness just for that year, and that is what should be done all the time. But if, for a series of years, there was a larger number of arrests in the cities of Maine, proportionately to the population, than in Toronto, it would intimate that there was a very bad enforcement of a very good law. No matter how good a law is, if it is not enforced it does not produce good results.

10451a. I would mention to you that the sheriffs in the State of Maine can seize liquor coming into a railway station, and seize liquor addressed even to private persons, although it is permissible under the law for a citizen to get what liquor he may desire for his own purposes, and many arbitrary measures are taken to give effect to the law; yet there is a large amount of drunkenness in the cities, and the number of arrests in many instances for drunkenness is very high?—Not until the millenium comes, I suppose, will we have perfection in any direction.

10452a. We are comparing one system with another system?—Well, if the system of prohibition in the State of Maine has driven the liquor traffic and the temptation to drink out of nine-tenths of the territory of Maine, I should call it a successful law, and a successful enforcement of it, even though the sale of liquor did linger along in some of the larger cities.

10453a. But has it been driven out anywhere?—Out of existence entirely, we have the best evidence of that.

10454a. We had a great deal of evidence before us that the law had driven liquor into the homes, that there was a great deal of drinking in homes and demoralization of families; you would not consider that an advantage?—No, but I do not think it is driven into the homes in that kind of way, as a rule. If people have been in the habit of using it in their homes before prohibition, I think, likely many of them will continue to do so afterwards. But I do not think it is introduced much into the homes of people who have been sober and temperate all their lives.

WILLIAM H. ORR.

10455a. If that were the effect of the law in the State of Maine, as we have evidence that it is, would you consider it an advantage?—If the effect of the prohibition of the public sale of liquor were to drive it into the homes so as to produce a greater amount of evil than we have in the city of Toronto from the licensed liquor traffic, I would say certainly it would not be an advantage.

10456a. I am not saying what it produces, but I am asking you whether, if the effect of prohibition were to drive liquor into the homes, that would be an advantage in your opinion?—People can protect their homes, perhaps, to some extent, but not always. I do not think it would be an advantage to change the public sale to individual purchases of liquor to be used in the homes, if the same amount of liquor were used. But testimony seems to show that the quantity of liquor used in the State of Maine is very much decreased.

By Mr. Clarke :

10457a. Do you know any statistics existing which will show the quantity of liquor used in the State of Maine?—Not just now, but I think I could get such statistics in a little while.

10458a. We have heard the statement made before which you have made, but we have been utterly unable to get any information on this subject, and it seems to be almost impossible to do so, for the reason that when liquor is brought into Maine from other States it does not have to pass through a Custom-house, and no cognizance of it is taken in any official returns. Under these circumstances, how is it possible to verify the statement that there has been a great reduction in the consumption of liquor in the State of Maine?—I suppose, from the general effects that are noticeable throughout the State.

By the Chairman :

10459a. In what particular direction would you look for those effects?—I would look at the records of the jail and alms-houses, and places where records are generally kept.

10460a. Would you consider the commitments to jail for drunkenness a criterion?—Yes, taking it over the whole State. But of course there might be active enforcement in some localities, while there would be very lax enforcement in others.

10461a. Do you think the commitments to the common jails in the State of Maine, should be as large as the commitments in Ontario, for drunkenness?—Do you mean throughout the State?

10462a. Taking the whole State of Maine, would you expect the commitments to jail for drunkenness to be as numerous as the commitments to jail for the same offence in Ontario?—No, I should expect them to be smaller for the same population.

10463a. The population of Maine is 661,000; that of Ontario 2,200,000. I mean per thousand of the population?—I should expect, taking the State of Maine all over, that commitments to jail for crimes growing out of the use of liquor, would be found considerably smaller per thousand in the State of Maine.

10464a. If such were not the case, would you be disposed to say that prohibition had been a success in the State of Maine?—I said over a large portion of the State of Maine. I think it might not be so in some places.

10465a. I am taking the State as a whole?—It might not be so in a few of the leading cities.

10466a. Taking the State as a whole?—The enforcement of prohibition in the large cities is not so easy a matter as in the rural parts.

10467a. The testimony was universal that it was more difficult to enforce a prohibitory law in large cities; and in many cases it was admitted that the prohibitory law in large cities was not efficient. But I am taking the State as a whole?—Well, if you divide it into two parts, and take the rural part as an evidence of prohibition being well enforced, I am satisfied you will find fewer arrests in Maine.

10468a. Then would not that be an argument in favour of Local Option?—If you can only enforce it in small communities where every man knows what his neighbour is

doing, and you cannot efficiently enforce it in cities, would it not, therefore, be better to have an elastic law which would permit of one community adopting local option if it so elected, and another community adopting high license if they so chose?—I do not think that would be a very sensible plan, although it would be a very good one for the people who live in the rural parts where they could have the evil driven away from their borders.

10469a. Well, they have been endeavouring to drive it out of the cities as well as the rural districts in the State of Maine for over forty years, and they do not appear to have succeeded. Now, you have said accurately, I think, that in the rural districts it has been fairly enforced, but in the cities not so well; I asked you whether that does not really go to show that an elastic law, which a community could put in force or not as they thought proper, is the best law for dealing with the liquor traffic?—I would not like to say that. I think the experiment in our own country might produce different results from those in a State like Maine where so large a portion of their border is open to the foreign traffic.

By Mr. Clarke :

10470a. Is there any province in this Dominion where there is not a large border open to the foreign traffic?—The seaboard traffic, I mean.

10471a. Take Prince Edward Island, Nova Scotia and New Brunswick, largely Maritime Provinces. Would you consider the same difficulties would be experienced in enforcing a prohibitory law in those provinces, as in the State of Maine?—Yes, unless there was a large sentiment in its favour. In those places there is a strong sentiment in favour of prohibition, particularly in Nova Scotia and Prince Edward Island.

By the Chairman :

10472a. I think you said you were an officer of the Dominion Temperance Alliance?—I am treasurer of it.

10473a. Are we correct in concluding that the Alliance goes for a prohibitory measure which would permit the importation by an individual for his own use?—No, I stated yesterday that I could not say that on behalf of the Alliance. The Alliance's platform goes further than that.

10474a. Can you tell us how far it does go?—To the extent of declaring against importation.

10475a. What do they ask Parliament for in the shape of legislation?—We are asking for a prohibitory law in general.

10476a. A prohibitory law enforcing what degree of prohibition?—The manufacture importation and sale of alcoholic liquors for beverage purposes.

10477a. Would that include the importation by an individual for his own use?—I think so, that is, unless he brought it in his own pocket.

10478a. That would be smuggling?—I do not know as it would.

10479a. If it was against the law, it would be?—It just depends upon what the law would say.

10480a. That is what I am asking you, I want to know what sort of a law the Dominion Alliance is asking for, because it is impossible for this Commission to say whether it is a fair claim unless they know what it is?—We have not the detail of the law before us yet.

10481a. Still you have been working at this thing for many years, you have been petitioning Parliament, and some officer of the Dominion Alliance ought to be able to tell us what it is that the Alliance desires to get in the shape of legislation?—I think I stated that yesterday, and I have stated to day pretty plainly what they desire.

10482a. That is, total prohibition?—Yes. When you come down to a drop, or an ink bottle full, that a man may bring in his pocket, I do not want to say anything.

10483a. We have found in Portland and some other cities that a large business was being done by people carrying bottles of liquor in their pockets and retailing it in alleys and at street corners?—I think that is an evil that may be prevented.

WILLIAM H. ORR.

10484a. Would not that system permit a small bottle to grow into a great evil?—When I go over to the United States and come home again, although I am not a smuggler, I may sometimes have some things in my pocket that are bought over there.

10485a. That is an entirely different thing, we are talking of liquor?—I mean that I would not approve of a law that would require that every person who came across the line at any place, should be searched.

10486a. But do you desire to make it illegal for any one to bring liquors of any kind across the line, or into the country?—Yes, any considerable quantity.

10487a. But it would be illegal whether in a small or large quantity?—If the Dominion Parliament gave us a prohibitory law that would carry out our view thoroughly, except, perhaps, that it would allow an ordinary pint bottle, say, being brought in a man's pocket, although we might urge to have that clause struck out, still we would accept the law.

10488a. I cannot speak as to what Parliament might do; I am asking what the Dominion Alliance really desires. Do you desire a law that would permit an individual to bring in liquor for his own use—you may limit the quantity if you choose? Or do you desire to make it illegal to bring in liquor into the country at all except for medicinal, mechanical and sacramental purposes?—Yes, the latter is what we desire.

10489a. You mean that is what the Dominion Alliance desires?—Yes. As I say, we would not be particular about a matter of a thimble full or two.

10490a. Have you considered at all the financial question, the effect a prohibitory law would have upon the revenues of the Dominion, the Provinces and the municipalities?—Yes, to some extent, not so thoroughly, probably, as a Finance Minister would be required to do.

10491a. There would be of course a large loss of revenue to the Dominion and to the Provinces; how do you think that could be made up?—I think if I were Finance Minister, I would arrange that in this way: I would seek to impose duties on some other things that would take the place of this article, giving a little time in which the change should be brought about, certainly.

10492a. What do you mean by giving a little time?—If Parliament at its next session were to enact a prohibitory law, to come into force as soon as the session was over, or on the day the Act passed, the same as it does about the importation of goods, certainly that would make a very considerable change in the financial affairs of this Dominion in various ways. For myself personally, I am not in favour of that being done, I do not think it would be a wise thing to do. But if a law were passed bringing about total prohibition throughout the Dominion in the course of the next three, or four, or five years, I think every thing in the Dominion would adjust itself to the new state of things in such a way that there would be nothing like the trouble that some people try to make us believe would occur from a deficiency in the revenue.

10493a. How would that help the revenue? How would that help to replace the loss of revenue now derived from the liquor traffic?—Give the Finance Minister ample time to put taxes on some other things.

10494a. Then you would replace it by imposing an additional tax on other dutiable articles?—You would have to do that unless there could be sufficient economies effected to make up for some of it.

10495a. Do you think it would be necessary to resort to direct taxation to make up part of the loss, or it may be the whole of the six or seven million dollars in revenue that would be lost?—I do not think it would, but if it did I would say that it would be a great gain.

10496a. I am not speaking of results, I am dealing with the question of revenue. Do you think the Finance Minister could impose on other commodities, within a reasonable time, the taxes it would be necessary to impose in order to replace the lost revenue?—I think he could, in the course of a little time.

10497a. But to start with? We have to deal with the thing as it is. Suppose you took three or four years to commence, the loss to the revenue would be precisely the same when the law began to operate, only the delay would give more time to adjust and regulate matters?—Suppose there was going to be a loss of seven millions the next year in revenue; it would not be very difficult to float seven million more bonds on the London market to cover that loss for that year. Then there would be a year in which

to make arrangements to collect a little more revenue from other sources, and so on. Even if we required to issue twenty million dollars of additional bonds to make up the loss of revenue for two or three years, it would still be a cheaper arrangement to tide over the financial difficulties that some people see.

10498a. Then we understand your idea is that the Dominion should borrow a sufficient amount to meet the loss of revenue, and the interest on the money borrowed should be met by additional taxation. Is that your theory?—That is what I would suggest.

10499a. Then come to the provinces. Take the Province of Quebec which derives a revenue of between \$500,000 and \$600,000 yearly from the issue of licenses. You have lived in the Province of Quebec and you know a good deal of the population and of the financial affairs of that province. Does it occur to you how that loss of revenue could be made up in the province of Quebec?—No doubt, there would be a loss of revenue for some little while, but I take it that in a very short time the additional labour that would be obtained from people whose labour is now lost, and the additional industries that would be fostered through the increased sobriety of the people, would soon make up for the deficiency.

10500a. The condition of the people might or might not be better, but in what way would that add to the revenue of the country and put money into the treasury of the province?—In the greater amount of prosperity in the country. And there would be other sources of taxation.

10501a. How is the Government of the Province of Quebec going to get money out of it?—I can say how money was got out of some people when I was there; they levied a tremendous rate of taxation upon all the banks and insurance institutions who were doing business in the city of Montreal. We paid over good money and the province got it.

10502a. Would you advocate increasing those taxes to meet the deficiency?—Certainly.

10503a. You would ask the corporations, in short, to make up the deficiency of \$500,000 or \$600,000 in the revenue?—I would levy the taxes on something that could very well pay it, but in the meantime I would borrow.

10504a. It is undoubtedly the case that you would have to levy them on something that could pay, but can you suggest to us what that something would be? You have spoken of corporations. The corporations complain bitterly about the taxes levied, and I judge from your remarks that you thought the corporation tax was rather a severe measure. Would you increase these taxes or raise the amount in some other way?—I would use very strict economy in order to avoid the necessity of increasing the taxes more than necessary. I would increase those taxes, but not to the extent of causing a revolution, or anything of that kind, in any particular branch, and I think other sources of revenue could be found. But, in the meantime, I would borrow—if there is any borrowing power in the Province of Quebec, I do not know whether there is or not—to tide over the difficulty. I take it that these things would be merely temporary.

10505a. Would you resort to direct taxation to replace the revenue?—If everybody was of my mind there would be no difficulty about direct taxation, because people would be ever so much better off than they are at present.

10506a. You know something of the people of the Province of Quebec; do you think they would be willing to submit to direct taxation?—I do not know why they should not.

10507a. But what is your opinion as to their feeling on the subject of direct taxation?—I suppose nobody likes to pay taxes; but what could they do?

10508a. Do you think it would be a popular measure in the Province of Quebec to levy direct taxes?—No tax is popular, of course, but I think there is no reason why the people would rebel at direct any more than indirect taxation.

10509a. Do you think the people of the Province of Quebec would vote for the abolition of the license system and consent to impose direct taxes upon themselves to replace this loss of revenue?—I think it would make very little difference in the end.

WILLIAM H. ORR.

10510a. Do you think the population would agree to it?—I think so. They would be so glad to get the evil reduced that I think they would all be willing to pay a little extra taxation.

10511a. You think they would be quite willing to vote direct taxation as a result of abolishing the license system?—I do not know, but I would like very much to have the question of direct taxation put to the vote in both the Province of Quebec and Province of Ontario.

10512a. You have lived in the Province of Quebec; and it is not often that we have the advantage of hearing a witness who has the large experience you have had in the two provinces, and as much acquaintance with the two systems. Now, do you think the people of Quebec would really vote to abolish the license system and impose direct taxes to replace the revenue?—I certainly think they would.

10513a. Do you think a prohibitory law could be enforced efficiently in the Dominion if the people of the Province of Quebec were against it?—I do not think the people of the Province of Quebec would be against it.

10514a. But that is not answering my question—you will pardon me for saying it?—That will apply to any one of the provinces.

10515a. But I am only speaking of the Province of Quebec as an illustration. I ask if you think that a prohibitory law could be effectively carried out in this Dominion if the people of the Province of Quebec were opposed to it?—That is making a suppositious case.

10516a. It is a simple question, I think?—You mean the majority of the people of Quebec.

10517a. I mean the will of the majority of the people of Quebec?—I think the vast majority of the people of Quebec would be glad to have a prohibitory law.

10518a. That may or may not be. The question is: Suppose the people of Quebec were opposed to a prohibitory law, do you think it could be efficiently enforced throughout the Dominion?—I do not see why it would interfere very much with the enforcement in other parts of the Dominion.

10519a. But we are speaking of a Dominion law which would apply to the whole country?—No doubt, when we get a prohibitory law it will be better enforced in some provinces than in others.

10520a. But do you think it could be efficiently enforced with the population of the Province of Quebec opposed to it?—You mean in Quebec?

10521a. I mean the Province of Quebec?—If there was a whole province against it, it would not be as efficiently enforced as if they were all for it.

By Mr. Clarke :

10522a. Supposing Ontario were opposed and the rest of Canada favourable; could there be an efficient enforcement?—No.

10523a. Would not the same thing hold with Quebec?—Yes; I said that.

By Judge McDonald :

10524a. You spoke of importing liquor for domestic use as a detail. Now is not that a fundamental principle which goes to the root of the law?—It is when brought in in bulk, but not in such limited quantities as I have mentioned.

10525a. But the law cannot say—it is not usual to put such language into laws—that the manufacture, importation and sale shall be prohibited, except that people may bring it in, in small packages in their pockets; no Act of Parliament would be framed in that way. Do you think that is a detail, and that it is not rather a fundamental principle of the law?—I think there are some tariff laws that make exceptions of small quantities.

10526a. It would make an exception in favour of liquor to be used for medicinal, mechanical and sacramental purposes; but do you think there would be an exception made in any law in favour of importations for beverage purposes?—No.

10527a. Now, does the body you represent aim at preventing any such importation?—Yes, I think so.

10528a. Then it is not a detail of the law, but it is a part of the law, is it not? Is it not a part of the legislation itself?—We have not got any legislation yet.

10529a. Is it not a part of the legislation which would have to be introduced into any law?—Yes, prohibition for all purposes except those named.

10530a. Now, you have said that time would test the feasibility of a provision allowing importation for domestic use; but, if it was found to work badly, you would hope after a while to get further legislation if you could not get it at first. Would you say that 40 years experience in Maine had not been sufficient time to test it?—I should think so. Here is General Neal Dow's sworn testimony upon that point:—

“Is there any barrier to a citizen purchasing liquor for domestic use?—No, anybody can buy it.

“How is liquor looked after in the State?—It can be purchased but not offered for sale. If any is offered for sale, it is of course liable to be seized.

“So the law does not prohibit the importation of liquor for beverage purposes by families?—Not for private use. The law is against the sale, and the keeping for sale, and the illegal transportation.

“Has any attempt been made during the past 40 years to take away from the people of Maine this privilege they now enjoy?—No.

“Would you favour an enactment of that kind?—No. The people are not prepared for it.

“What do you understand by the term prohibition?—We understand by the term prohibition that drink shops are forbidden, that saloons are forbidden, and the sale of liquor for beverage purposes is forbidden, and so on.

“Is there any restriction under your definition of the term, to be placed in the way of people purchasing liquor for beverage purposes, and bringing it in for domestic use?—No.

“You do not favour legislation that would stop that?—No, because public opinion is not prepared for it. In countries like ours, like England and Canada, public opinion must always be consulted. No matter how important a measure may be, it would be unwise to attempt it very much in advance of public opinion. The law is educational.”

10531a. Now, if, after 40 years trial of the law, General Neal Dow tells us that he would not advocate such a change, and that after 40 years the sentiment in Maine is not in favour of it, how would you expect that the people in Canada in a briefer time would be found to be in favour of it?—I do not know why we should not be so deeply aware of the evils of the traffic that we would go even further than they have gone in Maine.

10532a. You think then that in this matter we are not to take lessons from other communities in which the law has been in force for so long a period?—We might proceed upon what may be called a faster pace; we might differ in Ontario and in the Dominion from the people of the State of Maine in regard to some things.

10533a. Then you would pay no attention to their experience of 40 years?—I think some weight is to be given to their experience, of course.

10534a. Would you not suppose that after 40 years of experience of a successful prohibitory law, such as you think they have got, the educative force would have been so great that they would be seeking for a change in the law that would prevent liquor being imported for use in families?—Yes, I do not know why that has not been the result.

By Mr. Clarke:

10535a. Is there not a call for a repeal of the law in the State of Maine?—Not many years ago they voted by a large majority to put prohibition in the constitution so that it never could be repealed, and I take that as pretty good evidence that the people were in favour of prohibition after 40 years experience.

10536a. There is an explanation of that. People who were anxious to see the law enforced felt that as long as it was a political issue, its enforcement would be subject to variations; but if the law was made a part of the constitution, the politicians would look upon it as an established thing and as taken out of the arena of politics altogether, which, however, the constitutional amendment has not done. You have spoken about seeing statistics of the importation of liquor into Maine. If you could lay your hand on those statistics, or tell us where we could get them, you would do a great service to the Commission?—I do not know that I could to-day.

10537a. It has been impossible for us to get those statistics, and until they are got it is impossible for us, or for you, to decide whether that law has been effective or not?—I think there must be statistics of the importation of liquor into the State of Maine.

WILLIAM H. ORR.

By the Chairman :

10538a. I do not quite understand how you come to that conclusion?—I should suppose the general Government of the United States would have records of the collection of their revenue.

10539a. It does not pay revenue. They can only collect revenue on what comes in at the ports of the United States?—I should suppose that there would be a great deal of smuggling across the border.

By Mr. Clarke :

10540a. I think you gave us to understand that some time ago you had seen statistics of the importation of liquor into Maine; you would do a great service to prohibition by producing them, because we cannot find them?—I am not certain that I will be able to get them in time for this Commission.

10541a. The express companies, or the railway companies, or the freight companies do not keep any track of the vast volume of liquor that comes in there for domestic use, and the temperance people of Maine, so far as I know, have never asked for an amendment compelling the companies to keep a record of the quantities of liquor they bring in?—That looks like a weakness in the law.

10542a. It is a decided weakness that statistics cannot be produced regarding the importation of liquors into that State for consumption. Now, supposing you took the last decade in Portland, and if you saw from the statistics that 60 per cent of the total arrests made in that city have been for drunkenness, what conclusion would you come to?—That there was a good deal of drinking there.

10543a. There never was so vigilant an enforcement of the law in Portland as at the present time. The sheriff is determined to enforce it. The second week the Commission were in Portland there were 69 arrests, of which 55 were for drunkenness?—It shows that there is a lax enforcement.

10544a. When you compare that with the record of this city for 1892, where probably 40 per cent of the total number were for drunkenness and disorderly conduct, what conclusion can you come to regarding the relative merits of the two systems?—But there is a difference in the classes of population, and there may have been a difference between a rigid enforcement last year and a lax enforcement at some previous time.

10545a. There is practically no prohibition in Maine, except the prohibition of the sale. There are avenues for obtaining liquor in every direction. Would you believe that \$82,000 were turned into the treasury for the sale of liquors made under the auspices of the city of Portland last year, a city of 37,000 inhabitants, and a perfect procession going into the city liquor agency to obtain liquor?—What for?

10546a. Ostensibly for medicinal, sacramental or mechanical purposes. Can you conceive that in a community where there has been prohibition for forty years, it would be necessary in a city of that size to sell \$82,000 worth of liquor retail for medicinal purposes?—How would that compare with the amount retailed in the city.

10547a. That sum represents the profits on the sale. You can get no particulars of the quantity brought into Portland except upon the quantity brought in by the city itself. Now a question on another point. It has been alleged time and again before this commission that these temperance hotels cannot be conducted because the bar, which is the most profitable part of the hotel, is excluded. You have heard that argument?—Yes.

10548a. You say that the Robinson House has been a fairly profitable hotel, and also that the Coffee House has been very successful from a financial point of view. Now will you supply us with information as to the wages you have paid your employees, and as to the prices paid and the profits that have been made on the food. Please give us those statements so that we can put them in the record and demonstrate the practicability of paying fair wages and giving food at less prices than can be given in hotels that have a bar?—I do not know what wages have to do with it.

10549a. If they give their employees fair wages and the customers get food at fair prices, we ought to be able to demonstrate the practicability of conducting these houses on a temperance basis?—I think I have a statement in my desk which will show that

money is being made out of it, because it is a flourishing institution, paying a good rate of interest on the capital put into it.

10550a. Will you give us the particulars of the wages and the prices?—I decline to go in and ask what the servant girls are getting.

By the Chairman :

10551a. What institution are you speaking of?—The Coffee House. I am not a director of it, but one of the stockholders.

10552a. You are speaking of that as being financially successful?—Yes, showing that it is not necessary to have a whisky attachment in a place of that kind. Perhaps they can pay larger wages where they sell liquor, for they get a special commission on that.

10553a. Do you publish the financial statement?—Yes.

10554a. Would you let us have that, showing the receipts and expenditures?—Yes.

10555a. If you could tell us the number of your employees, that would help us in reaching some conclusion?—The council meeting will be held shortly, and I think I can get you some statistics in advance of publication. Those that are published are two years old.

10556a. You are manager of an insurance company?—Yes.

10557a. Does your company take risks on the lives of persons who use liquor?—Yes.

10558a. What is the rule of your company as regards the use of liquor by those insured by it?—If they use liquor to what is considered excess from a life insurance point of view, we decline to issue policies on them.

10559a. That is, if they use it to what you consider an excess?—What is considered excess from a medical point of view.

10560a. Have you any standard?—I cannot say that we have any definite standard. A man who takes a glass of beer with his lunch every day in the year, is not considered to be using it to such an extent as to cause his rejection by our company.

10561a. And if he uses brandy or whisky?—I do not know as we have any definite standard about that.

By Judge McDonald :

10562a. Not permitting a use that a medical man would consider injurious, I think you said?—Yes, for life insurance purposes, that would have the effect of shortening his life. We look to his habits in general. If a man is in the habit of taking his liquor several times a day, treating other people and accepting treats, we deem that very different from taking a glass of beer with his lunch. It is a dangerous practice. Three-fourths of the people we insure are teetotallers, and most of the others are what are generally called very moderate drinkers.

By Mr. Clarke :

10563a. But the restriction as to the use of liquor comes to an end at the end of two years?—I think it is three years.

10564a. But at the end of two or three years these restrictions all go to the wind?—In general they do.

FREDERICK MOWAT, Sheriff of Toronto, on being duly sworn, deposed as follows:—

By the Chairman:

10565a. Are you Sheriff for the county as well?—Only for the city.

10566a. Will you briefly define to us your duties as Sheriff of the city?—The most of my work has to do with civil matters. I attend at the Assize Courts, which is the only criminal court I have anything to do with. I have the supervision of the jail. The jail is a county as well as a city jail, but is under my charge.

10567a. I suppose all the accounts pass through your hands?—The statistics all pass through my hands, but the money accounts go direct to the city, and are dealt with by the City Treasurer.

10568a. Do you certify them?—No, the steward of the jail does that.

10569a. An annual report is published of the total expenditure?—It is in the city reports.

10570a. Have you given any attention to the classification of the prisoners in the jail, as to their nationality and the offences for which they are committed to jail?—There is a report of that made every year, showing all these things you speak of.

10571a. Can you tell us what percentage of those committed to prison, are for drunkenness?—I could only give a guess about that, as I have not looked into the statistics. But I believe that about 60 per cent of the population of the jail are committed for drunkenness.

10572a. Does drunkenness contribute largely to other offences? Is it a propelling cause in the other 40 per cent?—I think it is a propelling cause in many of the more brutal crimes.

10573a. Have you formed any opinion as to the percentage of the remaining 40 per cent of crime resulting from intemperance?—I have not. At the Assize Court, I would not think the percentage was very great. That is where I can trace it more.

10574a. I suppose the larger portion of your duty consists in looking after civil actions, civil suits, and so on?—Well, carrying out executions.

10575a. We have frequently been told that if there was no drink traffic there would be a very large reduction in the expenditure in the Dominion, provinces and municipalities. Have you formed any idea as to how much the expenditure in connection with the city jails would be reduced if you had no drunkards?—I think it would be very much reduced. In fact, that 60 per cent might almost count for 50 or 60 per cent less in the population of the jail, which would mean a great reduction in the cost.

10576a. By how much do you think the cost of the care of drunkards in your jail would be reduced if there were none of that class?—I think outside the management of the jail it would be reduced at least one half.

10577a. But take the total expenditure in connection with the jail, what reduction would follow if you had no drunkards admitted?—You mean, take the jail as it now is?

10578a. Everything in connection with it?—I should think it would be reduced to about a quarter or a third. But that is a mere guess.

10579a. I suppose the prisoners are producing something by their work?—They are at work, but not producing in the sense of making any money for the Government.

10580a. But are they producing enough to feed themselves?—Not in the sense of earning any money. They are employed just now in fixing the jail farm, making a park.

10581a. That is supposed to be of some value?—Yes, but I mean that there is no money credited to the jail on that account.

10582a. In some cases, I suppose, they are doing work that really produces money, in other jails, if not in your jail?—I do not know of any here, perhaps they do elsewhere.

10583a. Now, if we were to abolish the drink traffic with the crimes that arise from it, can you give us any idea how much the expenditure of the city jail would be reduced?—I could not do that without looking at the account.

By Mr. Clarke :

10584a. Is the assize court to which you give personal attendance the court at which the most serious offences are tried?—Yes.

10585a. Now taking these serious offences, robbery, burglary and arson, do you find that the prisoners who are tried for those offences, are total abstainers, or are they moderate drinkers, so far as you are able to form an opinion?—I think the men who commit those crimes you speak of would not be regarded as drunkards. Men who do these things have got to keep their wits about them.

10586a. Would they be total abstainers?—I never knew any of them to be total abstainers.

10587a. But when they are plying their vocation they have to keep their wits about them?—Yes.

10588a. We had the jailer before us yesterday, Governor Greene. I suppose we may rely upon the statistics he gave us?—Yes, he is very careful about the statistics.

10589a. Have you given any attention to the results produced by the committals from time to time of chronic drunks for 15, 20 or 30 days? Has it any beneficial effect upon them?—Do you mean in stopping them from drinking?

10590a. Has it any effect in bringing about any permanent reformation in these men?—I think in but very few cases.

10591a. Would it be well if there were established a hospital, or sanitarium, or an industrial institution of some kind where these chronic drunks would be committed for indefinite periods by the magistrate, to be treated as persons suffering from a disease?—I think it would be beneficial.

10592a. From your experience as a public officer, have you any suggestion to make with regard to the treatment of these chronic drunks?—No.

10593a. It is generally conceded that the present method of treating them is a failure so far as reform is concerned?—I do not think it really does them any good after they get into that condition. The same men come back time and again. I think the work in the jail has more effect in keeping them sober.

By Mr. Gigault :

10594a. Have you studied the criminal statistics of this province?—No, not beyond my own jail.

10595a. Do you know if the crime has increased or decreased in proportion to the population?—The commitments to jail have very much decreased within the last few years.

10596a. Do you think drunkenness has decreased also?—Judging from the statistics of the jail, the number has decreased. Of course there may be other reasons for that. We consider that the work we give them now at the jail keeps many away, they don't stay here. We know men who used to come to jail every now and then to be committed for thirty days, and after being out for a few days, they came back again. But since they have to work hard they have gone away from the city, we suppose; at least they don't come back to us. There are quite a number of such cases, so that the statistics in regard to drinking might be effected in that way.

10597a. Do you favour the adoption of a general prohibitory law?—Do you mean just as matters stand.

10598a. For the whole Dominion at the present time?—No, I do not think it is possible to enforce it at the present time.

By the Chairman :

10599a. Do you object to prohibition on principle, or on that ground that it cannot be efficiently enforced?—On the ground that it cannot be enforced.

10600a. Do you think that a prohibitory law not efficiently enforced would be an improvement on the present license system?—I do not think it would. The tavern-keepers are now more or less respectable, but those who sold liquor without a license would not be likely to be so.

FREDERICK MOWAT.

10601a. Do you think the reduction of licensed places in the city of Toronto has been an advantage?—I do.

10602a. I suppose other cities, towns and municipalities could, if they so desired, make the same reduction under the law which Toronto has done?—Yes.

10603a. You have been living in Toronto for years?—Yes.

10604a. Speaking from your general observation, do you think there is less drunkenness in this city now than there was a few years ago?—I do not know that I have seen any difference, still I cannot say that I have very good opportunities for observing.

DAVID ARCHIBALD, on being duly sworn, deposed as follows:—

By the Chairman :

10605a. What is your position?—I am Staff Inspector of the Toronto police force.

10606a. And your duties are what?—My duties are multifarious. I have jotted down a few of them. I have charge of all prosecutions instituted by the Toronto police force against the sale of liquor illicitly, houses of ill-fame and assignation, gambling and lotteries, prize fighting, baby farming, indecent exposure, cruelty to women, children and animals, desecration of the Sabbath, indecency and immorality, newsboys and bootblacks, industrial schools for both boys and girls, and the truancy law.

10607a. Do I understand you to say that you have charge of all the prosecutions against the class of offenders you have mentioned?—Yes.

10608a. Do you attend before the Police Magistrate to give evidence and conduct cases against them?—Yes, and have done so for nearly eight years past. I have been in the Toronto police force for over twenty-eight years. I had four years experience in police duties in the Royal Irish Constabulary.

10609a. That was before you came here?—Before I came here.

10610a. Can you tell us from your experience whether drunkenness has increased or decreased during the period you have held this office?—I rather think it has decreased.

10611a. Considerably?—Yes, it has decreased, taking into consideration the increase in population.

10612a. To what do you attribute the change?—I attribute it to various causes. In the first place, there are not so many drinking places, both licensed and unlicensed places have been very materially reduced. There is a more enlightened sentiment in favour of total abstinence, and I am satisfied that the law in reference to the liquor traffic has been more stringently enforced in recent years.

10613a. Have the temperance societies contributed to the improvement?—I think they have to some extent.

10614a. And the churches?—The churches also, and the schools.

10615a. I notice that you mention first the reduction in the number of licenses; do you think that is the primary cause of the improvement?—I think it has conduced very materially to it.

10616a. You spoke of unlicensed places for the sale of liquor; are there many such places in the city?—There are very few places where it is carried on to any extent.

10617a. How many do you suppose?—I do not think there are half a dozen where it can be said they make their living out of it. I am satisfied there are not.

10618a. How do you classify the other places?—At restaurants they do a little business.

10619a. Do you mean places where meals are supplied?—Where meals are supplied. And there are some places where drunken people usually congregate, and where they will take liquor in. Some of them take it in their pockets, and it will be

sold in very ingenious manners. In fact, there are many subterfuges adopted to evade the law. The vigilance of the police and the License Inspectors has been such that they have to resort to these expedients in order to sell it at all; such as a man carrying a bottle of beer or whisky in his pocket and dealing it out; and when the police go to make a search, they will only find a small quantity in some person's pocket.

10620a. That they could not seize?—No, it would not be worth while seizing it.

10621a. That would resemble pocket-peddling in the State of Maine, on the streets?—There is very little done on the streets here.

10622a. Is there any liquor sold in the so-called coffee houses?—We have had very little to complain of in that respect. I do not know that we have had anything. The penalties are very severe, and those people, unless they become very depraved and are prepared to commit perjury, find it very hard to carry on that business in Toronto.

10623a. In regard to the cases that you have to deal with in the court, from what class of the community do the majority of them come?—The class I have outlined, those that do it in a very covert way, and the lower class of society.

10624a. Do you mean workingmen who simply indulge to excess occasionally?—Perhaps I do not understand you. Have you reference to the class that are brought in for drunkenness?

10625a. Yes: from what class do the majority come? Are they simply habitual drunkards who loaf about the streets, or workingmen who occasionally give way to excess?—The majority of them are habitual drunkards.

10626a. With no ostensible occupation?—Well, during certain portions of the year they get employment, and they almost invariably drink what they get, to the neglect of their children and homes.

10627a. What class of employment do these men get?—They work on the streets and sewers and on the docks—labouring men.

10628a. Do you think that class forms the largest proportion of those you have to appear against?—I do not say that. I find that amongst the industrious and hard-working men there is not so very much drunkenness. It is amongst the class who will work only in order to secure money to get liquor.

10629a. That is the class we have been speaking of. I understand that they are labourers who only occasionally work on the streets or the docks, and I ask if that is the largest class that appear at the police court?—Oh, certainly; I think so.

10630a. And what class ranks next to them?—There are a considerable number of young men, who live perhaps upon their parents, and who are not very desirous or anxious to work themselves, and who go round to those places and drink.

10631a. Do you mean licensed places?—They go to hotels and rooms.

10632a. What kind of rooms do you refer to?—There are club rooms and such places as they congregate in.

10633a. What is the character of the clubs?—Almost all grades of society get up clubs in order to meet together and enjoy themselves as they call it. But there are only, I think, about eight or ten of those places that are licensed by the government, and entitled to sell liquor to their members.

10634a. Of course, we know of the Toronto club and others of similar character in the city; we understand what they are; but I thought you were referring to clubs simply for drinking and gambling purposes?—If we find a club of that sort, we very soon break it up.

10635a. Have you found many such in the past?—We have found some, and we have seized the liquor and secured convictions against the parties.

10636a. Do you think any such exist at this time in the city?—There are very few existing now, I think, besides those that are licensed.

10637a. Will you give us an idea of the character of those clubs that are licensed that you refer to?—I think the clubs do a great deal of harm. I think they do much more harm than the hotels.

10638a. Do you say there are eight or ten of them?—I do not think there are more than that.

10639a. Do you include such as the Toronto club among them?—I class them all the same. I think mechanics and workingmen would have just as much right to a club.

DAVID ARCHIBALD.

10640a. We are not speaking of that. I want to know how many exist, and the standing of those that exist?—I think there are just about what I say; I do not think more than ten.

10641a. Can you give us the names?—The Toronto, the Albany, the Reform, the Liederbrantz, the Turn Verein, the Granite, the Victoria, the National, and several others that I cannot just think of.

10642a. Are all those clubs holding licenses?—They hold from the Government a charter that entitles them to sell liquor to their members; that is, light liquors—wines and beers.

10643a. Do you wish us to infer that those clubs conduce to making intemperate people who appear in the police court?—I have not the slightest doubt about it. They have facilities for getting liquor there when they cannot get it in the taverns. They get it there on Saturday nights and Sundays.

10644a. Shall we be correct in concluding that a considerable number of the persons who frequent the clubs that you speak of appear at the police court charged with drunkenness?—Not directly, but indirectly. They acquire drinking habits in these clubs, and perhaps become intemperate, and the cause is indirectly traceable to the club.

10645a. Have they then ceased to be members of those clubs?—I cannot say as to that definitely. I have very little doubt that most of those clubs would expel a man who had become a habitual drunkard, but I cannot say positively as to that.

10646a. A large number of those arrested for drunkenness are now allowed to go in the morning without being brought before the court. Will you tell me what you think the effect of that regulation has been?—In some instances I believe it is beneficial.

10647a. But generally?—Generally I am not in favour of it.

10648a. And your reasons?—I think it ought to be made as uncomfortable as possible for men who get drunk in the hope of getting off. I think if they expected a severe punishment the first time they were tried for being drunk, it would have a salutary effect upon them, instead of encouraging them with the hope of getting off on the first offence, and having the experience to see what it is like. I think it is most demoralizing for any person who for the first or second time has to be locked up for being drunk in a police station.

10649a. Do you think it would be less demoralizing if, after being locked up, he were to be taken before the Police Magistrate?—I do not know as it would have one iota's difference. To a man who has got drunk so as to be locked up in a police cell the question of being kept an hour or two longer is of very little consequence.

10650a. You think it would have a deterring effect?—For this reason: These men would know there was certain punishment and exposure for them if they got drunk, and that, I think, would have a very salutary effect.

By Judge McDonald:

10651a. Do you think there are some men, then, who deliberately get drunk?—Men get drunk from various causes and influenced by various motives.

10652a. You see, a man who thinks far enough ahead to say to himself: "If I have to come before the Police Magistrate I will not get drunk, but if I have to be locked up only for a few hours in a cell I will," must get drunk from intention?—When a man acquires the habit of drinking, I do not know that he reasons on that line; but if a man has any reason in him, and he knows that if he gets drunk he will be inevitably locked up, and have to be brought before the Magistrate, and be subject to a fine, he will act so as to avoid the necessity of being placed in that position, knowing that if he has not money to pay the fine, he will have to go to jail, and his family may be left to starve.

10653a. Would not the logical conclusion be that men who are fined and have to go to jail would abstain altogether?—No; I do not mean that. I mean when a man expects to get off for getting drunk, there are a great many people who are perhaps indifferent to the moral degradation, but who will have respect to their liberty, and they will not run the risk of being locked up perhaps for thirty days simply for the fun of it.

By the Chairman :

10654a. Are you a total abstainer?—Yes.

10655a. Do you consider that the license law is well enforced in the city at the present time?—I consider it reasonably well enforced.

10656a. Are you in favour of the passage of a law prohibiting the manufacture, importation and sale for beverage purposes of intoxicants of all kinds?—I am very strongly in favour of such a law.

10657a. Do you think it would be more effective in the suppression of drunkenness than the existing law?—I have not the slightest doubt of it.

10658a. Do you think it could be efficiently enforced in the present state of public opinion in this city?—If the proper officials are selected and empowered to enforce it, I believe it could be effectively enforced.

10659a. But you put an "if" in it. You know the state of public opinion in the city: you know how the present law is enforced; and I ask whether in your opinion a prohibitive law would be efficiently enforced in this city under present conditions?—I think more depends on the officials who are to enforce it than upon public sentiment.

10660a. But we must take things as they are. You know something of the officials and the state of public sentiment here, I am asking your opinion from that knowledge?—I do not know that public opinion in Toronto would be strong enough to influence a man who, if I may be allowed the term, had a weak backbone.

10661a. I was speaking of the enforcement of the law; do you think a prohibitive law would be efficiently enforced under existing circumstances in Toronto, if it were enacted at the next session of Parliament?—I believe under existing circumstances it could be enforced in Toronto.

10662a. That is still not answering my question?—Well, I will explain. I say that with our present board of Police Commissioners, the present police staff and present Police Magistrate, it could be enforced.

10663a. Would it be enforced?—I believe it would be enforced in Toronto.

10664a. Would you prohibit the importation of liquor for private use by a citizen?—I would prohibit the importation or the manufacture of intoxicants in any form or shape that might be used for the purpose of demoralizing men and making them drunk.

10665a. Will you kindly confine yourself to the question; whether you would permit any of the gentlemen in this room, for instance, to import liquor for their own use?—I would not. I would absolutely prohibit it.

10666a. Would you permit the importation or manufacture for mechanical or medicinal purposes?—I would place it in the drug stores. I would like to give my reason for prohibiting it for the purposes you named. My experience is that if liquor may be imported by men who may use it without its being in the slightest degree harmful to them, the difficulty will be where to draw the line. Men would import it for improper purposes, and would perjure themselves in order to do so. I would apply the same principle all around.

10667a. Do you know any country, province or community in which the importation, manufacture and sale of intoxicants are absolutely prohibited?—I cannot say that I do, except merely from hearsay; and I am not sufficiently informed as to other countries or communities to speak advisedly.

10668a. From hearsay will you tell us what country you know of that is entirely prohibitive?—I cannot at this moment.

10669a. What is your impression with regard to the law in the State of Maine, which is the state where a prohibitory law has been longest in force, as far as we know?—I could not answer intelligently, for the simple reason I do not know to what extent it is enforced there.

10670a. Do you know to what extent the law in the state of Maine prohibits?—I have heard that it does not prohibit home production—that is, for personal use—so long as it is not sold.

10671a. Have you any opinion as to the causes which led to the repeal of the Scott Act by-laws throughout the country?—I think I may answer in the affirmative. Its being imperfectly enforced was the main cause, as I understand it.

DAVID ARCHIBALD.

10672a. Then those in favour of the law, and the temperance people generally, failed to support it, owing to its not being properly enforced, you think?—I think want of enforcement was the principal cause of its failure. But I must say here that I have never been in favour of the Scott Act, only as an educator.

10673a. If it was an educator, was it a sensible thing on the part of the temperance people to abandon it?—I think the temperance people have made mistakes more than once. I think some of them are very extreme. They think that if they carry a prohibitory law, or a partial measure of prohibition they have done all that is required of them, when they are only at the commencement of the struggle. They did not back up those who would perhaps be inclined to enforce the law if they had got their support.

10674a. Then do you think it was a mistake on the part of the advocates of temperance to allow the Scott Act by-laws to be repealed?—I do not know that it was a mistake. I think it was better repealed than allowed to remain a law on the Statute-book without being enforced.

10675a. Would it not have been more logical to have taken steps to have it enforced—to have held on to the law, and have insisted on its enforcement?—I think when they adopted it they should have seen to its enforcement so far as they had power to do so.

By Judge McDonald :

10676a. Have you reason to believe that the officers in those sections of Ontario, where this law was in force, were any less efficient than the officers of Toronto in their efforts to enforce the law?—I do not wish to reflect upon them, and I can only speak from hearsay, as I have not been very much outside of Toronto. But from what I have heard, I think there were very few of them who were as well inclined to enforce the law as the officials here.

10677a. Supposing the officers in the outer counties where this law was in force swear that they did their utmost to enforce it, but that owing to the state of public sentiment in the community, they found it impossible to do so, would you consider that they or you, who have had no experience in enforcing a law of that kind, were better qualified to judge whether it could be efficiently enforced or not?—I suppose they would have a better right to express that opinion than I would to contradict it.

10678a. These officers also tell us that they found it much easier to enforce and prosecute offences in breach of the license law and other laws against the illicit sale of liquor that they did the Scott Act because they had such a consensus of opinion behind them in favour of the enforcement of those laws?—I do not doubt but they may be correct in that.

10679a. Have you had any experience in this city in compelling places for the sale of liquor to keep closed on election days?—Yes.

10680a. You have found it easy to do that, I suppose?—Yes, quite easy and most beneficial.

10681a. These same officers tell us that on election days they do not find it difficult to keep them closed, because the consensus of the community is with them; so that do you think the consensus of the community has something to do with the enforcement of such a law as that?—I have no doubt it has with the majority of officials.

10682a. But you think there are officials whose sense of duty is so stern to carry out the law that they would do so without having public opinion behind them?—I do.

10683a. And you have such officials in Toronto?—Yes.

10684a. Would I be going too far in asking if you think you are one of them?—I do not think you would.

10685a. You say you have charge of the prosecution of the law against houses of ill-fame?—Yes.

10686a. And you have been looking after them for eight years?—Yes.

10687a. With what measure of success?—With a great deal of success. To-day there is not what is known as a house of ill-fame in Toronto.

10688a. Is it a fact that the attempt to suppress these places has led to the scattering of the evil in the community?—I do not think so. The fact is the reverse.

10689a. Is it a fact that there is now in Toronto, solicitation on the street?—To a very limited extent.

10690a. Is it a fact that there is now carried on in rooms in business blocks the same kind of thing that was formerly carried on in houses?—Not one-half or one-fourth as much as it was twenty-five years ago, when the population of Toronto was 45,000.

10691a. Is it a fact that the women enter private houses as domestic servants and use that position as a vantage-ground to carry on their business?—Very little if any.

10692a. Then you consider that you have succeeded in suppressing the evil of houses of ill-fame in Toronto?—Yes, so far as it can be suppressed.

10693a. How far is that?—To the same extent that any form or phase of crime may be suppressed—circumscribed and reduced.

10694a. Do you think there has been any increase in illicit intercourse in offices and private places?—I think there has been a marked decrease.

10695a. Why should there have been any of that when there were houses of ill-fame?—Because there were a class of men who would not risk their reputation by being found going into houses of ill-fame, but who made assignments and secured women to go to their rooms.

10696a. And you have succeeded in diminishing that?—Most unquestionably.

10697a. Did you hear the evidence given by the Chief of Police on that subject?—I only read a short synopsis of it. (A portion of the evidence given by Henry J. Grasett was read.)

10698a. Having heard the statement of the Chief of Police read to the effect that that kind of thing has increased in the city, you differ from him?—I do most emphatically. I do not say that there is none of that; but I say there is far less than there was when there were fifty houses of ill-fame in the city, with an average of four women in each house.

10699a. Are you troubled in this city with books of an evil tendency being sold, that will corrupt the morals of young people?—Yes. We are dealing effectually, I think, with that class of literature just now.

10700a. What method have you adopted?—Under the Criminal Code we have extensive powers. Exposing to public view and offering for sale makes any one liable. I had about a dozen cases of that kind before the court this morning.

10701a. For selling impure books?—Impure literature. One is a publication published in New York called Music and Drama. It is a sort of pamphlet or magazine. We have found this exposed for sale in several stores, and we have had the parties brought into court with the view of suppressing its sale.

10702a. Is there any system in vogue for keeping track of the books exposed for sale in the community?—No. It is only when a complaint is brought into the department or some member of the force notices improper publications exposed for sale in the windows.

10703a. Do you cause books to be read for the purpose of finding out their character?—We have, but not extensively.

10704a. Were the parties that you had before the court to-day convicted?—No, the case stands over.

By the Chairman :

10705a. Was there any prosecution of that periodical—Music and Drama—before to-day?—Not of that class. We have had several of other classes.

10706a. But that particular book?—Not that particular book, to-day is the first.

By Judge McDonald :

10707a. You mentioned also, I think, that you had something to do with the truancy department?—Yes, that came into force in January of this year.

10708a. That means that children who are truant from school are looked after?—Yes.

10709a. Do you find much truancy in the city?—Yes, considerable.

DAVID ARCHIBALD.

10710a. Are you troubled much with juvenile crime in this community?—I think it has been reduced since the opening of the Industrial Schools. We have had considerable of it before, and some since.

10711a. Speaking from your experience, do you consider the Industrial School at Nimico a valuable institution?—I do.

10712a. You think the results of the detention of juveniles there is beneficial?—I have no doubt of it.

10713a. To what do you attribute the juvenile criminality and the truancy that you have in the city?—The large majority of it to intemperance on the part of the parents, and also to allowing too much latitude and liberty to children on the streets.

10714a. Do you think children are allowed on the streets too much?—I think they are.

10715a. Do you think they are allowed out at night running on the street too much?—I think they are.

10716a. Speaking of intemperate habits on the part of parents being a cause of juvenile crime and truancy, do you believe that idleness has anything to do with producing intemperate habits in the parents?—I think that intemperance is more directly the cause of idleness.

10717a. Than idleness the cause of intemperance?—Yes.

10718a. Is that your experience in dealing with criminals?—Yes, in the majority of cases.

10719a. The governor of the jail of the County of Oxford stated to us that he had found three principal causes leading people to commit the offences which had made them prisoners in his jail, and he put them in this order: idleness, intemperance and sensuality?—I would put them in this order: intemperance, sensuality and idleness. I have known of instances, not a few, particularly years ago when I was out at night as visiting officer, of men under the influence of liquor going to houses of ill-fame—a class of men who I knew would not think of going or could not be induced to go when not under the influence of liquor. I have seen that quite a number of times.

10720a. Did you find when there were houses of ill-fame in the city, that there was generally illicit sale of liquor in those places?—I am speaking of the time when I commenced nearly eight years ago. I made visits to those places accompanied by different officers. I found thirty-five houses in full blast, with an average of about four women in each house, and I did not know a house out of the thirty-five that did not sell liquor illicitly.

10721a. From your experience, would you think that billard tables and bowling alleys should be separated from places where liquor is sold?—I do certainly.

10722a. In case a law were enacted to do away with either the hotel or the saloon license, which do you think should be dispensed with?—I think the hotel is the more useful. The hotel is a place of accommodation, while the saloon is only a drinking place. By all means I would do away with the saloon.

10723a. Have you noticed whether in the cases in which you have prosecuted for breaches of the license act, say for selling illicitly, selling on Saturday night or on Sunday or selling to minors, you found more perjury than you found in cases of any other character?—Most unquestionably. I have found more perjury in connection with the enforcement of the liquor law than in connection with all the other laws I have to enforce.

10724a. Do you find that witnesses in such cases commit perjury who in other cases you believe are truthful?—I cannot discriminate that far. As a rule, I look upon men who are engaged in the liquor traffic as more demoralized than men who may be brought up charged with other offences.

10725a. I was not speaking of men in the traffic, but men who are brought in from outside to give evidence in the liquor cases?—I am speaking of men in the illicit traffic. Do I understand you to mean private detectives?

10726a. Any person who may be called to give evidence who is not engaged in the liquor traffic. Do you find a greater lack of memory in such cases?—I find in liquor cases a far greater disposition to swear falsely. In fact, but for the fear that they may be caught for perjury, there is hardly the slightest compunction to swearing a lie.

10727a. How about the licensed men as to selling on Saturday night or Sunday? I think they observe the law fairly well.

10728a. Is there much perjury in the cases in which they are brought up?—There is not so much perjury among that class as there is among those who sell illicitly.

10729a. Do they generally plead guilty when summoned?—I think they generally do.

10730a. Have you many people up for selling on Saturday night?—Very few—that is, of the licensed people. I think we had only ten cases, all told, last year in the city of Toronto.

10731a. Many cases of sale to minors?—Not many.

10732a. Any of sale to Indians?—None.

By Mr. Clarke :

10733a. Regarding the treatment of chronic drunks, committing them for terms of twenty, thirty or sixty days, what have you to say about it as a method of reform?—I do not approve of it.

10734a. What would you do?—I would have them incarcerated for a longer period, and furnish them with work and compel them to do it, and if they would offend a second time, I would double up the term, and I would have the proceeds of their work go to support their families.

10735a. Would you have them treated as people suffering from disease?—Well, I think the keeping of them away from liquor, would be the best treatment they could get. There may be some other treatment that would be helpful, but I have not very much faith in it.

10736a. Would you favour the establishment of sanitariums or hospitals for the special treatment of chronic inebriates, and where they would be compelled to work?—There is no doubt that would be helpful, but I have known some who professed to be completely cured, who have gone back to the old habits after weeks or months.

10737a. I think I understood you to say that the moral effect of having a law on the Statute-book flagrantly violated, is very bad?—Yes, better not have it there at all.

10738a. Do you think that had anything to do with the repeal of the Scott Act—that the people felt that the Act was flagrantly violated, and that it had better be repealed?—My experience of over thirty years in dealing with that class of offenders, and with the liquor traffic, is this, that whilst the liquor is to be had, a certain class of people will have it, and I am not in favour of any partial measure at all.

10739a. In order to get the best possible results I understand you would prohibit the importation for private domestic use?—Yes.

10740a. But you do not know of any place where there is such a law?—No, not except from hearsay.

10741a. Under a prohibitory law would you prohibit farmers making wine, cider or beer for their own use out of their grapes, apples or barley?—I would have no half measures. I would leave no loophole or opportunity to any person to become demoralized by liquor under any form.

10742a. You would prohibit farmers making wine out of grapes, cider or apples?—I would if it was intoxicating and likely to lead to drunkenness.

10743a. Hard cider and wine made from grapes are intoxicating; would you prohibit their manufacture?—I would. If farmers' sons use it at home, they will indulge in it when they come here; the demoralizing effect is started at home.

10744a. Do you remember when the Dunkin Act was in force in the County of York?—Yes.

10745a. What was the condition of things there?—I cannot say much for that.

10746a. Do you remember how matters were on the outskirts of the city?—I think it was very imperfectly enforced, and was of little or no use.

10747a. I think you said the Scott Act was an educator. What kind of an educator was it?—I have always held that it had educated to this extent. It had clearly demonstrated the insufficiency of any partial measure of prohibition, and shows

DAVID ARCHIBALD.

the absolute necessity of total prohibition; and only to that extent would I ever support it.

10748a. You would support the Act in order to lead people to believe that it could not be satisfactorily operated?—My experience is that whilst liquor can be obtained, surreptitiously or otherwise, it will be obtained by those who want it.

10749a. In the event of a Dominion prohibitory law being passed, would it be possible fairly well to enforce the provisions of that law, in view of our extended frontier, and the facilities which exist along the coasts and along the shores of the lakes for the importation of liquor?—I do not see why it could not be enforced as well as the customs law preventing goods coming in without paying duty. I do not think there is very much smuggling in goods carried on.

By the Chairman :

10750a. There is a good deal of it sometimes. You have no doubt heard of some cases within the last year?—I cannot say that I have; but I would expect of course that people would be more desirous of smuggling liquor in than goods.

10751a. If there were absolute prohibition, would you expect to find very much smuggling along the United States frontier and along the seacoasts of the Dominion?—I would expect that the authorities would employ a sufficient force to prevent it.

10752a. Would you expect that there would be a good deal of smuggling?—I have no doubt there would be a class of people who would like to smuggle it in.

10753a. Do you think there would be much of it?—If a measure were enacted with penalties that would be deterrent. I do not think they would be much inclined to smuggle.

10754a. Then you think you would prevent smuggling by severe penalties?—I think so. At all events, I would make it hard for them to do wrong.

By Mr. Clarke :

10755a. The Government have an interest in putting a stop to the smuggling of goods on which duties are imposed. If there were no duty on liquor, what interest would they have to keep liquor out?—They ought to have the same interest as they have to enforce any other law of the Dominion.

By Judge McDonald :

10756a. Have you heard of the North-west Mounted Police Force?—Yes.

10757a. Do you consider it an efficient force?—I would not like to say as to that.

10758a. You would not like to say, then, whether the measure of success that force had in enforcing the prohibitory law in the North-west Territories might be taken as an indication of the success in enforcing a Dominion prohibitory law?—I understand that the permit system was in force so much that it destroyed the effect of the prohibition.

10759a. You say you know nothing of that force personally?—No.

10760a. And you are not able to say whether that force did its duty so effectually that if the traffic were capable of being put an end to anywhere, it could be put an end to in those Territories?—I would not go that far. The territory was very large, and the people were not unanimous.

10761a. If you could possibly give us the names of the countries you have heard of in which this total prohibition exists, we would be glad to get them?—I said I did not know of any such place; I had no recollection of any place.

10762a. Then you have never heard of any country in which there is such a law as you favour for Canada?—I do not think I have.

By the Chairman :

10763a. You have no personal knowledge of any such country?—No.

10764a. And you have no knowledge from hearsay?—No, I have not. I may have heard of it.

10765a. Then, if you were understood as answering definitely that you had heard of any countries in which there was such prohibition you would wish to correct that?—Yes; I did not mean that. I simply meant that I may have heard of some, but I had no recollection of it.

By Judge McDonald:

10766a. Do you believe Canada is prepared at the present time for the enactment of a prohibitory law such as you desire, that is, total prohibition of importation or manufacture even for domestic use, and preventing the farmer making wine and cider for his own use?—I think so.

10767a. Do you think experience of any other community that has tried a prohibitory law in not going so far might be taken as an indication of how far we could go?—I could not give an opinion, because I do not know the extent to which they have endeavoured to enforce it.

10768a. I suppose you have heard of General Neal Dow?—Yes, I have seen him—the so-called father of the Maine law.

10769a. General Neal Dow was examined before this Commission in Montreal, and this is what he said:—

How is liquor looked after in this State?—It can be purchased, but not offered for sale. If any is offered for sale, it is of course liable to be seized.

So the law does not prohibit the importation of liquor for beverage purposes by families?—Not for private use. The law is against the sale and the keeping for sale and the illegal prescription.

Has any attempt been made during the last forty years to take away from the people of Maine that privilege they now enjoy?—No.

Would you favour an amendment of that kind?—No. The people are not prepared for it.

What do you understand by the term prohibition?—We understand by the term prohibition that drinking shops are forbidden, that saloons are forbidden, and the sale of liquor for beverage purposes is forbidden and so on.

Is there any restriction under your definition of the term to be placed in the way of people purchasing liquor for beverage purposes and bringing it in for domestic use?—No.

You do not favour legislation that would stop that?—No, because public opinion is not prepared for it. In countries like ours and England and Canada public opinion must always be consulted. No matter how important a measure it may be, it would be unwise to attempt it very much in advance of public opinion. The law is educational.

Are we to understand then, that the prohibition you advocate is a prohibition of the sale?—Yes, and keeping for sale.

But not prohibition for domestic purposes?—Not prohibition for domestic use.

You draw a line between the two?—Yes.

10770a. After hearing that testimony given by the so-called father of the Maine law after forty years experience of it, do you think Canada is prepared for the sweeping measure you propose?—I do not know that there would be a majority in favour of it.

By Mr. Clarke:

10771a. But you propose that sweeping measure because you believe in no compromise at all with the traffic?—Yes, I would certainly be in favour of all I have suggested.

10772a. Is it not because you believe it is the only effective prohibition?—It is partly because I know that would be the only effective prohibition.

By Judge McDonald:

10773a. In case the farmer were permitted to make wine and cider for himself out of his own grapes and apples, how could you reasonably prevent the man in the city buying grapes or apples and making wine or cider at his own house?—He would certainly have as good a right to do it as the farmer.

10774a. They would have to be put on the same footing?—Yes.

10775a. That being your position do you believe Canada is prepared for such a law as that?—I do not know that a majority of the people would be in favour of such a sweeping law.

10776a. I ask you again, do you know, or have you heard of, any country in which such a law exists?—I cannot say that I do.

DAVID ARCHIBALD.

By Mr. Clarke :

10777a. General Neal Dow in his testimony states that in 1884 the question of making the prohibitory law a part of the constitution of the State was submitted to the popular vote, and the amendment was carried by a majority of two to one. Yet there has been no appreciable improvement since then in the way the law is observed in the cities and towns of the State ; and that is a much milder measure than the one you advocate?—They have a different element to deal with from what we have.

10778a. And yet, after forty years experience, a man like General Neal Dow has not made up his mind that the law should be made any more prohibitive?—I suppose he is justified in drawing this conclusion from the experience he has had.

10779a. The only experience we have had in Canada of a prohibitory law was that of the Province of New Brunswick forty-five years ago, when the legislature was induced to pass such a law in response to an immense number of petitions that were presented and yet in less than a year it was repealed because the results were found to be so disastrous?—I suppose that was the result of politics.

10780a. No, there was not the slightest trace of politics in it?—I understood that parties opposed to prohibition changed their politics in order to turn the Government out of office.

Mr. CLARKE.—There is not the slightest ground for that statement.

JUDGE McDONALD.—The state of the facts in this. When the House went to the country, only two out of forty-one who were returned favoured the prohibitory law, leaving thirty-nine opposed to it ; but on politics the House stood twenty-one to twenty, so that in a short time the Government that had passed the prohibitory law and had been turned out of office came back again, but never again attempted to put a prohibitory law in force.

By Mr. Clarke :

10781a. Have you kept any record of the nationalities of the juveniles that have been passing through your hands?—I think they are all in the annual report of the Chief of Police.

10782a. What has been your experience of the juveniles that have been brought out from the old country under auspices of various organizations and societies?—The boys have compared favourably with Canadians. The girls have not.

By Judge McDonald :

10783a. Taking the total number of boys that have been brought out under the auspices of such societies as those of Dr. Barnardo, Miss Fry and others, and the proportion that have gone astray, and the number of Canadian boys and the proportion that have gone astray, which would be the greater?—I do not think there would be much difference, if any, in the boys.

By Mr. Gigault :

10784a. Do you think the fact of allowing liquors to be sold for medicinal purposes would lead to fraud, and to their being sold for beverage purposes?—I am afraid it would. My experience is that a great deal of liquor is sold in that way, under cover of medical prescriptions.

10785a. Still, you would allow the sale of liquor for medicinal purposes under a prohibitory law?—On the same principle as I would allow any other poison to be sold, not otherwise.

REV. WILLIAM FRIZZELL, on being duly sworn, deposed as follows :—

By the Chairman :

10786a. What is the name of your church ?—Leslieville Presbyterian Church.

10787a. A Canadian Presbyterian Church ?—Yes. It is on the corner of Carlaw and Queen Streets in this city.

10788a. Have you a large congregation ?—We have two hundred and sixty members, with a great deal larger congregation.

10789a. Have you been long in the city ?—Eleven years—six years as pastor of the church. I was at Knox College here a good many years before that.

10790a. Have you taken a very active part in temperance work in the city ?—Yes, both in the Presbytery and in connection with the Dominion Alliance, and in my own congregation.

10791a. Are you a member of the Dominion Alliance ?—Yes.

10792a. Do you hold any office ?—I am a member of the Executive of the Alliance, and I am the convener of the Synod's Committee on Temperance in the Canada Presbyterian Church.

10793a. Have you noticed particularly whether drunkenness has increased or decreased in the city during the past few years ?—Yes. So far as my observation goes, I think it is diminishing gradually.

10794a. You think there is less intemperance to-day than there was ten or fifteen years ago ?—That is my impression.

10795a. Do you think the decrease is considerable or extensive ?—Of course, I am not able to speak so definitely on that point as the Inspector ; but I think it is considerable, so far as my observation goes.

10796a. To what influences do you attribute the change ?—To various. I think the churches have had a good deal to do with the promotion of temperance sentiment ; and perhaps the temperance societies in the city and the deliverance of church courts, as well as the diminution of the number of licenses in Toronto, and I think perhaps the better enforcement of the liquor law. I think all these have conspired to produce less drunkenness.

10797a. Do you think there has been a better enforcement of the law throughout the whole Province, or are you speaking of Toronto ?—Of Toronto more particularly.

10798a. Do you give any preponderance to any one of these influences ?—Of course, I might be a little partial to the church.

10799a. We believe you would be entirely impartial ?—I could hardly say just to which one more than another. I think the diminution of the number of licenses in Toronto certainly deserves credit for the reduction of drinking, and I think the churches have conspired to reduce it also by creating a sound temperance sentiment.

10800a. Is there anything standing in the way, except public sentiment, to prevent other places adopting the same methods as Toronto has adopted ?—Another thing would stand in the way, perhaps—the lack of proper officials to enforce the law.

10801a. If there was a strong public sentiment, they would take care to have the right officials, would they not ?—All officials are not appointed by the community. Some are appointed by the Government. A great deal might depend on that.

10802a. To what particular class of officials do you refer ?—For instance, the License Commissioners and the Inspector. A great deal depends on the character of the Inspector as to how the law is enforced.

10803a. The Inspector is appointed by the Government ?—Yes.

10804a. The Commissioners also are appointed by the Government ?—Yes.

10805a. Has local public opinion nothing to do with their selection ?—I think politics have rather more to do with the selection of the Commissioners.

10806a. Have the Commissioners and the Inspector anything to do with determining the number of licenses to be issued ?—Yes, they have something to do with locating the licenses. I think that in Toronto the City Council has also something to do with the number of licenses to be issued from time to time.

REV. WILLIAM FRIZZELL.

10807a. Have not the councils of the different municipalities the right to determine how many licenses shall be issued under the law?—I am not sure how that is.

10808a. It is so; and that being so, the responsibility for the number of licenses issued must rest with the municipal councils, must it not?—That is the case in Toronto, I understand, and I am speaking more particularly about Toronto. But the Commissioners have to do with the locating of the licenses.

10809a. That is, they determine who shall get them?—Yes; and the Inspector has to do with the enforcement of the law.

10810a. And the locality of the licensed house?—Yes, and the character of the house.

10811a. I understand that you prefer a prohibitive system to the present one?—Yes.

10812a. What measure of prohibition do you consider to be desirable?—Total prohibition is the phrase we generally adopt in our church courts.

10813a. Do you go so far as to desire to prohibit the individual from importing or having in his possession liquor for his own use for beverage purposes?—Yes, on the ground that if we grant an individual right, it would be almost impossible to insist on a state right.

10814a. Do you consider that it is any infringement on the individual right of the subject?—No, if it is in the interest of the state. I think that individual rights must be subordinate to the interest of the state.

10815a. Do you go so far as to advocate a measure which shall prescribe to a man what he shall drink or not drink?—On the same principle that the law prescribes what kind of a poison a man shall take, if any.

10816a. It prohibits him from taking poison to destroy his life?—On the same ground I would prohibit him from taking alcohol so as to prevent him destroying his moral life.

10817a. Do you know of any community where such a law exists or has existed?—Of course, I have heard of them and read of them. The only place I have had much experience of is the State of Kansas. I have never been in the State of Maine, but I have heard a little of it, and of some of the other places where prohibition is in force.

10818a. Is the prohibition existing there the extent of the prohibition you advocate?—From the evidence I have heard this afternoon I observe that the prohibition in these places is not quite so stringent perhaps as I would be in favour of, on the ground that I fear that if we grant permission to individuals to use it for beverage purposes, it will be a difficult thing to enforce a prohibitory law.

10819a. I was anxious to know if we could find evidence anywhere of experience of such a law, but I have not been able to ascertain that any such a law has been in force in any community?—Two years ago I was through most of the counties of the State of Kansas, and I made inquiries in different places as to the enforcement of the law, and I did not observe a drunken man all the time I was there, and I discovered that it was almost impossible for a stranger to get a glass except in a cellar or an attic.

10820a. Did you understand when in the State of Kansas that a citizen cannot import or have in his possession any liquor for his own use?—I presume it is the same as in Maine in that respect.

10821a. In the State of Maine there is no prohibition of the citizen having or importing for his own use whatever liquor he thinks necessary; that is a matter under the jurisdiction of the Federal Government. Then, you really do not know of any community in which such a law is in force as that which you think ought to be enacted in Canada?—Those are the only communities I know of.

10822a. Do you think that with such a law in existence you would have a good deal of smuggling along the frontier and through the ports of the Dominion?—I presume there would be a certain amount. I fancy some would attempt smuggling along the borders; but that could be controlled, I should think, by faithful officials.

10823a. At present, of course, the Government derives a large revenue from the traffic, and part of that is expended in looking after it and preventing smuggling, yet we know that there is a good deal of smuggling. Now, if there were no liquor sold in Canada, would it not be an easy matter for citizens living on the frontier to get it across from the United States?—I think it could be prevented to a great extent.

10824a. Would not the inducement to smuggle be greater than it is now, when it can be purchased or manufactured at home?—The inducement might be greater, and we would therefore require more vigilance to prevent it.

10825a. You think a larger preventive force would be required?—I think it is possible there would need to be more vigilance along the lines than there is at the present time.

10826a. How would you have the sale of the liquor required for medicinal or mechanical purposes regulated? How would you have the sale made, and through what channel?—Under Government control. I think the Government should control the manufacture and the sale in that case.

10827a. They might import as well as manufacture; you mean them to control the importation as well as manufacture?—Yes.

10828a. And you would have the vending done by Government officials?—Yes, salaried officials. I think that would be the safer course to pursue.

10829a. Are you in a position to say that that is the character of the legislation which the Dominion Alliance is seeking to have enacted?—Yes, as I understand the constitution of the Alliance, and also the kind of law our church would like to see enacted.

10830a. Do you think public opinion is ripe for a measure of that kind?—Yes.

10831a. Do you think the community would vote in favour of such a measure to-morrow?—Yes, I am quite satisfied of that.

10832a. Are you speaking of the whole Dominion?—I am speaking of the Province of Ontario just now.

10833a. You think Ontario is ready to vote for a measure of that kind?—Yes, I think so.

10834a. Have you formed any conclusion as to the views of the inhabitants of the other provinces?—I have not given so much attention to that, as the matter has not come before us quite so definitely as the question of Ontario.

10835a. Do you think the people of Quebec would vote for such a measure?—I have before me the report of our church on temperance. Questions were sent out to all congregations in all the provinces, and we have a summary of the answers in our report, and it is to the effect that ninety-five per cent of all the congregations within the boundaries of our church in all the provinces are in favour of prohibition.

10836a. Will you give me the percentage in the Province of Quebec?—It does not give the provinces separately—just the whole Dominion.

10837a. Can you give me the percentage of the members of your church to the whole population within the Province of Quebec?—I cannot.

10838a. It must be small, comparatively, in a province that is mostly Catholic?—Yes, of course it is.

By Mr. Clarke :

10839a. Is that ninety-five per cent of the churches or of the members?—The questions are sent to the sessions, and they report on behalf of the congregations. The question sent out last year, for instance, was: "Do you favour the enactment of a prohibitory liquor law at an early date? Please give your reasons for your answer." The answers came in, and the result was that ninety-five per cent of our sessions favoured a prohibitory law at an early date.

By the Chairman :

10840a. You cannot separate the numbers for the different provinces?—No.

10841a. Can you tell us the number of adherents of your church?—I cannot.

10842a. Can you tell us the proportion they bear to the total population of the Dominion of Canada?—I cannot at this moment. I could if I had the minutes of the Assembly before me.

10843a. Was any definition of the kind of prohibitory law which was desired given to the churches when you sent out that circular?—In nearly all cases it refers to the importation, manufacture and sale.

REV. WILLIAM FRIZZELL.

10844a. Can you tell me if any definition of the "prohibitory law" was sent to the churches on this occasion? You merely speak of a prohibitory law, but there are a great many varieties of prohibitory law?—Our church favours that kind of a prohibitory law—prohibition of importation, manufacture and sale.

10845a. Total?—Total prohibition.

10846a. Do you think the churches understood that perfectly well when they replied to your question?—Yes, that is my impression. Of course, individual members of the church may vary; but I am speaking of the church as a whole—the General Assembly.

10847a. Would the replies mean more than that the members of your church were prepared for such a measure?—No, we were simply trying to feel the pulse of our own church on that question.

10848a. Are you at all familiar with the manner in which the law has been enforced in the State of Maine?—Not very familiar, apart from reading occasionally and hearing addresses on the subject; but I have not investigated the matter particularly.

10849a. Are you under the impression that it has been efficient, and has answered its purpose in the State of Maine?—My impression from my reading and from what I have heard is that it is a great improvement on the license law, but that there is perhaps room for still greater improvement.

10850a. The law of the State of Maine has been on the Statute-book over forty years, and the amendments made to it since it was enacted have been variously stated to have been from forty to sixty, and they have been almost invariably those asked for by the supporters of the law. They have had all that time to improve it and make it efficient, and would it not be natural to conclude that it ought now to be as nearly perfect as it is possible to make a law of that kind?—But I think there are imperfections in the law. I think if they adopted my kind of prohibition, it would be much more perfect than it is to-day.

10851a. In what respect do you think that such a law as exists in the State of Maine is better than a license system?—In that it reduces the quantity of liquors, and crowds the treating system into a corner.

10852a. Have you ever seen any statistics of the consumption of liquor in the State of Maine?—No, I have not examined the figures.

By Mr. Clarke :

10853a. How do you know that the Maine law reduces the consumption of liquors?—Simply from reports.

10854a. But there are no reports or statistics on that subject?—Simply magazine articles and newspaper articles.

10855a. Would you expect the law of the State of Maine to reduce the number of cases of drunkenness that come before the police courts in the cities and towns?—I can understand how difficult it is to enforce a law of that kind when all around the license system is in existence. It is simply a local option law. If there were prohibition in the whole of the United States, it would be a very different thing. Therefore, I would not be astonished if there is a good deal of illicit drinking and even selling in the State of Maine under the circumstances.

10856a. Do you hope to see a prohibitory measure enacted for the whole United States?—I would like to see it.

10857a. Have you any hope that it is likely to be enacted in this generation?—I hope for it in time; I do not know how soon. It may be a good while.

10858a. If that is a reason why the law fails in the State of Maine, would it not also apply to the position Canada occupies with reference to the United States?—There is this difference, of course; we are different nationalities, and I think perhaps it would not be quite a parallel case.

10859a. But you think the contiguity of states where liquor is manufactured and sold has a great effect in the State of Maine. Would we not have that difficulty to contend with in Canada all along the United States frontier?—I think it would be a difficulty, and would require increased vigilance along our frontier to prevent it.

10860a. Would you expect that the Maine law would have reduced the cases of drunkenness before the police courts in such places as Portland, Bangor and Lewiston?—Not if they allow liquor to come across the state lines without very much hindrance.

10861a. Then, would it be proper to say that the Maine liquor law has been more effective in promoting temperance in the State of Maine than the license law has been in Canada?—That depends on the facts of the case. I am not quite aware how the facts stand.

10862a. I am taking your own statement of the case. You say you think there might be as much drunkenness, owing to the fact that the law permits importation. If that is the law, and there is as much drunkenness, in what respect is the Maine law an advantage over the license system?—If it has reduced drinking, it is an advantage. I am not in a position to say it has, but if it has, it is better than the license system.

10863a. Would you expect to find less drunkenness in the State of Maine than there is in Canada under the license law?—I would not expect it if the law were not enforced properly.

10864a. But you know what the law is?—Sometimes the law is on the Statute-book, and is simply a dead letter; and if the law in Maine is a dead letter, I would not expect any improvement. It depends a great deal on how it is enforced.

10865a. If it is a dead letter, then the law cannot be said to have worked an improvement in the State of Maine, as compared with the license system?—No; not if it is a dead letter.

10866a. I wanted to get at the point: you made the statement that you thought the Maine law was an improvement over the license system?—Yes; with the understanding that it would be effectively enforced. I am not prepared to say that it is properly enforced in the State of Maine.

10867a. I suppose the question whether it is well enforced or not, depends very much on the will of the people?—Yes; on the officials.

10868a. The officials are the agents of the people, and they have had the law in existence for forty years in the State of Maine. Now, I find that in the city of Portland, which has a population of about 37,000, the number of arrests for drunkenness in the year 1892 was 23·12 per thousand of the population, and I think that is the lowest percentage in the whole list from about 1880. In the same year, in the city of Toronto, the arrests for drunkenness were 10 per thousand. Would these figures indicate that the Maine prohibitive system was better than the license system in the city of Toronto?—On the surface, of course, it would be a slight indication; but a great deal would depend on how the officials had discharged their duty. Some officials may be very strict in arresting drunken men on the street.

10869a. This Commission have made fairly exhaustive inquiries on that subject, and they find that the system prevailing in the two places regarding arrests and allowing people to go who are arrested without putting them before the courts, is very much the same. Have you given any attention to the question of the revenue derived from the traffic, or shall I be correct in concluding that you consider it wrong for the Government of the country to derive any revenue from it?—That is my view.

10870a. Have you given any consideration to the question of the manner in which the revenue which would undoubtedly be taken away from the Dominion, the provinces and the municipalities, if we had a prohibitive measure of the character you advocate, could be raised?—I think statistics pretty clearly show that the amount of money expended in support of our public institutions, partly as the result of the traffic, would more than compensate for the revenue derived from the traffic. I think that is pretty clearly demonstrated.

10871a. Have you any statistics showing that?—I have not here.

By the Chairman:

10872a. Can you tell us the amount expended by the Dominion, the provinces and the municipalities in connection with crime resulting from the liquor traffic?—I have not charged myself with the figures, but I have them.

10873a. Can you say that the total expenditure for prisons, jails and penitentiaries, amounts to more than two millions a year for the whole Dominion?—I should not like to venture an assertion in regard to that, because I have not the figures at my finger ends.

REV. WILLIAM FRIZZELL.

10874a. Will you tell us the class of expenditures that you think would be reduced?—I think, for example, that the police staff could be very much reduced. I think the officials in the asylums would be very much reduced, and the officials in connection with our reformatories, such as those at Penetanguishene and Mimico. The cost of maintaining buildings would be very much less. Looking over the figures, of course we can see how much more drink costs the community than bread and clothing and all other necessaries of life put together. I cannot give all the figures, but I think a careful comparison of the figures will show that there would be a saving that would more than compensate the Government for any loss of revenue from the drink traffic.

10875a. I had reference to the revenues derived by the Governments of the Dominion, the provinces and the municipalities—not of the expenditure of the community upon drink. The government of the country has to be carried on, and revenue has to be provided for that purpose; and the important question is how some eight millions of dollars or more which is collected by the Dominion, the provinces and the municipalities is to be provided if you wipe out the revenue to that amount now derived from the liquor traffic. If the total expenditure on jails, penitentiaries and institutions of that kind amounts in the aggregate to three millions or so, the difficulty is to ascertain how much of that would be saved; but it is quite clear that you could not replace the loss of eight million of revenue from that?—Yes, if that is the amount.

10876a. I do not wish to state \$3,000,000 as the exact amount; I merely name it to illustrate the situation. Now, is it possible, by reduction of expenditure, to save any great proportion of the \$8,000,000 derived from the traffic?—My impression is that there can be enough saved to compensate the Government for loss of revenue, else all the books I have read on the subject and all the statements I have heard made by temperance men are false, and I would require to investigate the matter myself in order to give a conscientious opinion on that subject.

10877a. You spoke of a reduction in the cost of maintenance of buildings. Would it follow that there would be a reduction in the cost of maintenance of jails if the number of prisoners sent there were reduced? Would the buildings not have to be kept up?—As we have the buildings now, they would have of course to be maintained for some time; but I would hope after a little time that most of these buildings could be converted into factories.

10878a. Take our police courts; there is a great amount of business coming before the police courts that does not arise out of the liquor traffic in any way—a great deal of civil business relating to the affairs of the corporations; so that these courts would have to be maintained. Do you suppose that any considerable number of the judges could be dispensed with?—I think a good many of the officials. I think we could do with one Police Magistrate, at any rate.

Mr. CLARKE—That would be a saving of \$700 a year to Toronto.

By the Chairman:

10879a. Have you determined in your own mind that any considerable reduction in the number of police in this city could be or would be brought about?—I am convinced of that.

10880a. To what extent; Have you formed any idea?—I would not like to venture a proportion, but I am satisfied that there would be a large reduction, from the fact that my observation leads me to infer that a great deal of the work of the police is in connection with the traffic.

10881a. On the other hand would a large force be required to look after the enforcement of the prohibitory law all along the frontier to prevent smuggling and throughout the country to prevent sale?—Along the frontier perhaps a larger force would be needed, but I think not throughout the country generally. Provided they were the right kind of men, I think we would not require so many.

By Judge McDonald:

10882a. I suppose as a minister moving among people you have been able to see whether any large amount of suffering or misery results from intemperance?—Yes.

10883a. What is your experience in that respect?—It was witnessing so much misery and suffering as a result of intemperance that first led me to sympathize with the temperance movement and with prohibition.

10884a. I suppose from mothers and daughters and wives that clergymen hear a good deal that other people do not hear about town?—Yes.

10885a. You spoke of having yourself visited the State of Kansas?—Yes.

10886a. In what places were you?—Kansas City, Topeka, Wichita and across the southern boundary.

10887a. Were you in Leavenworth?—No.

10888a. What state of things did you find in Wichita?—There was no evidence of drinking, so far as I could see; and on inquiry I found that it was very difficult for a stranger to get drink unless he knew the signs.

10889a. How long ago were you at Wichita?—Two years ago this summer.

10890a. I suppose you could hardly say that liquor is not sold in Wichita?—No, I would not like to say that.

10891a. How about Kansas City, Kansas?—I think the same state of things prevails there to a certain extent.

10892a. Were you not able to find any place of open sale in Kansas City, Kansas?—No.

10893a. Did you notice any open places for gambling in Kansas City, Kansas?—No, I did not observe any.

10894a. Did you obtain any information from public officials as to the state of things there?—I made some inquiries from the secretary of the Young Men's Christian Association.

10895a. What did he think?—That was his impression.

10896a. Did you get this impression in Kansas City, Kansas, that under the system prevailing there the keepers of a large number of places where intoxicating liquors are sold, pay a fine once a month of fifty dollars each?—No, I did not get that information.

10897a. Did you learn that from forty to fifty thousand dollars a year was paid into the city treasury by the liquor traffic in the form of monthly fines?—No, I did not learn that.

10898a. Did you see the Mayor of the city?—No, I was only travelling through the State, and simply made inquiries for my information.

10899a. Were you at Salina?—No, I was not.

10900a. If such a prohibitory law as you desire were in force, would you permit farmers to make cider from their apples and wine from their grapes, for their own use, or would you wish the enactment to be so sweeping as to prevent that?—Of course, it would seem a little like interference with individual rights; but if, as the Inspector said this afternoon, it prepares the young men to come to the city to visit other places, I think the interest of the state would demand even prohibition of that. If the interest of the state demands it, I say yes.

10901a. Perhaps you have not considered that question before as one of the direct issues connected with prohibition?—I do not look on that issue as a very important one.

10902a. Have you visited the County of Essex?—No.

10903a. Do you know that there is a large number of farmers there, and the number increasing every year, who are making wine out of their own grapes?—I do not know to what extent. Then I think it would be worth while to prohibit it.

10904a. In case a prohibitory law were enacted preventing manufacture, importation and sale; and that kind of thing were permitted, would you not expect a large increase of private manufacture?—Perhaps there would be. If I should fear that, then I would prohibit that also.

10905a. And in order to do that, you would have such a staff of officers as would be necessary?—The same staff, I presume, would do for all.

10906a. In order to obtain the benefits which you believe would follow from a complete prohibitory law efficiently enforced, would you, if necessary, be willing to submit to direct taxation?—Yes, I think I would.

REV. WILLIAM FRIZZELL.

10907a.—I understand you to say that you think the paying power of the people would be greater under a prohibitory law?—Yes, that they would spend on bread and beef and other necessaries what is now spent on intoxicating liquors.

By Mr. Clarke :

10908a. You have heard the statement that in Kansas there is a system by which the liquor traffic is virtually licensed by the imposition of monthly fines under a prohibitory law. Would you consider that an improvement on the system we have under the license law?—No, I would not. That is local option, and I am not in favour of a local option law, but a prohibitory law.

10909a. You say that the General Assembly sent out a circular on the question of prohibition; will you read the question that was asked?—Do you favour the enactment of a prohibitory liquor law at an early date?

10910a. What does that mean—"at an early date?" Did you ever ask your people if they were prepared now for a prohibitory law? What do you mean by that phrase?—As soon as, in the interests of both church and state, the law could be brought into operation.

10911a. Would it not be better from your standpoint to bring the law into operation at once?—It might not be possible.

10912a. Is it possible to bring it in now?—I think there are certain things that would require to be considered and adjusted.

10913a. What are those things?—For example, we would require to find out what change it would make in the revenue.

10914a. That is what we are asking you about, and you are satisfied on that point, are you not?—Yes.

10915a. What other things would you have to take into consideration?—To what extent we could reduce the police force.

10916a. You are clear as to that too?—Not as to the number. I am clear that a reduction would take place, but whether it would be one-half or two-thirds I am not clear just now.

10917a. Would that be a barrier to having the law in force?—I think these things should be considered and adjusted.

10918a. Would it not have been well for the Assembly to have considered these things first, and having placed all the facts before the different sessions, have asked their opinion then—because I understand that you are giving me these explanations of what you mean by "an early date"?—The General Assembly just wanted to find out what the feelings of the church were on the matter.

10919a. Do you think you are representing the general view of the Canada Presbyterian church in giving these explanations of the meaning to be attached to these words?—Yes. I think the church would act intelligently in the matter.

10920a. Have you made inquiries or obtained statistics as to the reduction that could be made in the accommodation in the asylums of the province or the Dominion?—I have not charged my memory with these points. I have left that to those who are more competent to judge.

10921a. You have heard of the system which exists in Kansas under prohibition, under which anybody who pays a monthly fine is allowed to sell liquor; and I believe that in some towns they actually furnish the liquor sellers with printed envelopes on which there is an admission of guilt, and in which they enclose the fine and costs. Which is preferable—that system or the system that exists in Toronto?—I am not able to speak definitely from experience.

10922a. You spoke from your observation in Kansas?—From my observation.

10923a. The fact is that those people are permitted to sell so long as they come up once a month and pay their fines. Which do you consider preferable—that system or the system that exists here?—If your question is between license and free trade in whisky, I prefer license.

10924a. There is not free trade in whisky, because to obtain immunity from prosecution they have to pay their fine once a month. Which is the preferable?—My

impression is that a license law well enforced is better than a local option law poorly enforced.

10925a. What is the moral effect of having that prohibitory law, as far as the state can prohibit, on the Statute-book, and every citizen of Kansas City seeing it broken every day of every week?—That is not my idea of prohibition at all.

10926a. I am speaking of the condition of things in Kansas. I want to ask you what must be the moral effect on the people of seeing that law steadily and persistently violated?—It must be bad. Wherever there is a law that is not enforced, it must be bad always.

10927a. At Bangor, in Maine, the Police Magistrate testified before this Commission that there are one hundred and twenty open saloons there in violation of the law of the state. What is the moral effect there too?—Bad, of course.

10928a. Would not a license law permitting fifty saloons to sell liquor be preferable to that?—It may be. I am not objecting to that at all. My position is that prohibition is preferable to both. We do not ask the Government to adopt the Maine law or the Kansas law, but a prohibitory law.

10929a. But there is no experience of such a law?—But there is still room for improvement.

By Mr. Gigault :

10930a. Would you prohibit the importation of liquors for sacramental purposes?—No. I am talking about prohibition ; it is always understood that they are permitted.

10931a. As a minister of the gospel do you think it is a sin to take a glass of wine or cider?—I would not like to say it was a sin.

10932a. If it is not a sin or immoral, why do you want to prevent it?—If it leads to evil it is wrong. The principle we take is that if the doing of a certain thing leads to evil we are to shun it. Paul's position is, "If meat make my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend. It is good neither to eat flesh nor to drink wine, nor anything whereby thy brother stumbleth, less he is offended or is made weak." That is my principle.

10933a. So you wish to do away with everything of which an abuse is made?—Everything that is injurious to the best interests of the state.

10934a. Do you wish to do away not only with the abuse but also with the legitimate or moderate use of liquors?—Of course it is the moderate use that leads to the abuse. Drunkards are always manufactured from moderate drinkers, and we think that if we do not allow moderate drinkers to get liquor, we will have no drunkards.

10935a. Did they tell you in Topeka that there were clubs the members of which could have as much liquor as they wished in their club-rooms?—I learned that it was possible to get liquor in some circumstances, but I did not inquire as to the particulars under which it could be got.

By the Chairman :

10936a. You remember Paul's advice to Timothy, I suppose that was a case of a medical prescription?—I suppose we would have put it under that head.

By Judge McDonald :

10937a. Have you thought, taking the last quotation you made, where St. Paul speaks of the eating of flesh and the drinking of wine, that the very fact of the two being coupled together shows that, so far as either of them is concerned, there is no harm in itself?—Not in itself.

10938a. The evil would be in what it might lead to?—Yes.

The Commission adjourned.

TORONTO, October 25th, 1893.

The Commission met at ten o'clock a.m.

Present :

SIR JOSEPH HICKSON, Chairman, presiding ; JUDGE McDONALD, REV. DR. McLEOD,
MR. G. A. GIGAULT.

REV. D. J. MACDONNELL, on being duly sworn, deposed as follows :—

By the Chairman :

10939a. What is the name of your church ?—St. Andrew's church.

10940a. Will you give us an idea of the number of members of the congregation ?
—Between six and seven hundred communicants.

10941a. You have been in Toronto how many years ?—Twenty-two years.

10942a. Were you born in this province ?—No, I was born in the Province of New
Brunswick, but I have spent most of my life in the Province of Ontario.

10943a. I do not know whether you have noticed the terms of the Royal Commission under which we are acting ?—Oh, yes, I have.

10944a. I believe you have given a good deal of consideration to the subject of the liquor traffic, and if it would be agreeable to you the members of the Commission would be pleased to have you give them your views on the questions on which we are to inquire ?—Well, Mr. Chairman, it is a very large question on which to speak generally. It might be better for me perhaps, to speak of specific matters. I may say this with regard to the fact : I think there can be no question of the fact that intemperance has decreased in the city and throughout the province. That, I presume, has been testified by those who can give statistics drawn from records of the police court and other records. I believe that has been accomplished partly by legal restriction, very largely by moral, social and religious influences—by the influence of the churches, the influence of the temperance societies, in Toronto here, to a considerable extent by the development of the coffee-house system, and by counteracting the dangerous tendencies of the bar and the saloon by furnishing other openings for men to have the satisfaction of appetite and a certain amount of social intercourse in another way. It seems to me that is a sort of general principle on which the temperance reformers, as all others ought to seek to act—to overcome evil with good ; to counteract the different evil tendencies there are in existing institutions, not by mere prohibition, but by substituting other and perhaps more wholesome institutions. As to the general question whether we ought to have prohibition or not, I think of that very much in this way. There is no question that the Government of the country has a right to adopt a prohibitory law and to enforce it if it finds it necessary. It seems to me to be a very extreme remedy, and only justified if there is a very extreme evil to be met. In my judgment the evil is not extreme as compared with the state of things in other countries—as compared even with the state of things many years ago in our own province. I do not regard the evil as extreme, and therefore I do not see that there is occasion for the adoption of what I consider an extreme remedy. I do not consider it necessary, because a very small fraction of the community is intemperate, that the whole community should be put under disabilities in this matter. That is in brief my general view of the matter. I may say, with regard to enactments for the restriction of the evils of intemperance, that I think our license law in Ontario, so far as I am aware, is working well—is really restricting the evils of intemperance. Again, on general principles it has seemed to me, ever since I read first about the system which

has been adopted in the town of Gothenburg in Sweden, that that system proceeded on principles that were valuable. As I understand it, the liquor is sold by agents of the Government who have no pecuniary interest whatever in the sale, and therefore it is not a matter of personal interest to the seller to sell more or less. Then, as I understand the seller has a pecuniary interest in the sale of non-intoxicating beverages, so that it is to his interest to sell as much as possible of the non-intoxicating, while he has no personal interest in the sale of the intoxicating. That allows the opportunity to those who wish to have wine or beer to get it with freedom, and yet it makes it the interest of the seller to sell other things, and therefore counteracts the dangers of the sale. With regard to the existing state of the law in Ontario, I would like to see all saloons abolished. It seems to me that the sale of liquor ought to be confined if possible to hotels, which are places of entertainment for travellers—that that is the most wholesome way in which the matter can be regulated. I believe a great deal of the intemperance which is developed, amongst younger men especially, arises from two things: first, from the open saloon, whose sole business is to encourage the sale of liquor and its use in immoderate quantities; and the other in the system of treating, which, however, has been very considerably lessened and modified. My general conviction about a prohibitory law, as I have said, is that it is an extreme remedy which is not called for by the existing state of things in Canada. With regard to the possibility of its being enforced, I do not think it is a fair objection to a law that it cannot be absolutely enforced. I presume that hardly any law is enforced with absolute rigidity. At the same time, a prohibitory law would stand on this ground, that to a very large portion of the law-abiding citizens of the community it would appear to be an unjust and unreasonable law, and therefore there would be a temptation to men who are law-abiding in other respects to treat that particular law with disregard, and that leads, of course, to the treating of other laws with some measure of disregard, and that means disrespect for law. It seems to me that is a grave objection to a prohibitory law. It would be quite easy to enforce it in communities where the people are almost all total abstainers; and there it is hardly needed. I believe that in the city of Toronto it would be very difficult to enforce it, and there would be a very strong sentiment on the part of law-abiding citizens against the law, even on the part of many who are themselves abstainers.

10945a. Have you been in the State of Maine?—Scarcely. I cannot give any testimony as to the working of the law there.

10946a. Were you in any of the counties in which the Scott Act was in force during the time it was in force? Can you give us any information in regard to the working of the Scott Act?—No, I do not think I can give any testimony in regard to that from personal knowledge.

By Judge McDonald:

10947a. As a minister have you found that much misery and suffering is caused among people by intemperance?—Undoubtedly.

10948a. In the family life?—Certainly.

10949a. I suppose that a minister has a better opportunity than other men of learning these things?—He has abundant opportunity.

10950a. I suppose that a minister in visiting families would be given information in regard to their manner of life that the ordinary public would not get hold of?—Yes.

10951a. You have been a minister in other places than Toronto?—Yes; in Peterborough.

10952a. And of course you have visited in other places?—Yes.

10953a. So far as your experience goes, do you think that relatively there is less suffering from intemperance in Toronto than in other places?—I do not know that I could make the comparison.

10954a. You have spoken of the feeling that exists in the minds of a large body of citizens in regard to a prohibitory law being an interference with rights. Have you noticed whether the same state of feeling exists in the minds of any great portion of the community with regard to any other law?—No, I cannot think of any other law that is regarded in just the same way.

REV. D. J. MACDONNELL.

10955a. Do you think there exists a general consensus of opinion in the community in favour of what may be called the prohibitory clauses of the license law, such as those forbidding sale on Saturday night and Sunday, to minors and to Indians?—I think there is.

10956a. Do you find the same feeling in regard to almost all the other laws that are on the Statute-book?—So far as I know.

10957a. Do you think that the state of public sentiment has something to do with the successful enforcement of a law?—Certainly.

10958a. And, therefore, thinking that there is such a division in public sentiment with regard to this law, do you believe that it would affect the successful enforcement of it if it were passed?—Undoubtedly it would.

10959a. Make it more difficult to enforce?—Certainly.

10960a. Have you considered the question of encouraging as far as possible, while intoxicants are used, the use of ale and light wines, and trying to decrease the use of the heavier or stronger liquors?—I think that anything that favours the use of the less intoxicating is very much to be desiderated—that favours it by comparison, I mean.

10961a. In case of the passage of a prohibitory law prohibiting the importation, manufacture and sale, would you deem it right that liquor for medicinal, mechanical and sacramental purposes should be permitted to come in or be manufactured?—Yes, I have no doubt about that.

10962a. In case of the enactment of a prohibitory law preventing the manufacture of liquor in Canada, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I have not thought specially about that. That would depend somewhat. It would need more consideration than I have given to it. It would depend on what sort of indications were existing at the time of their going into the business as to the possibilities of a change of policy and public sentiment. A man who goes into that business now, for example, goes into it knowing perfectly well that there is a possibility that in five or ten years it may be at an end, and therefore he runs the risk.

10963a. I do not know whether you know as a fact that the laws require certain appliances to be put into the buildings, and that a change was made a few years ago requiring that the distillers should keep their liquor for two years before selling it, with the view of having it rectified, getting rid of fusil oil and other deleterious matters, necessitating the erection of large warehouses in which to store the liquor?—I should think that would be a matter that ought to be fairly allowed for.

By Rev. Dr. McLeod :

10964a. As a pastor, have you noticed whether to a very large extent the drink traffic affects the social condition of the people?—There is no doubt at all that the drink traffic—that the immoderate use of drink under our existing traffic in drink, has very injurious effects.

10965a. You distinguish between the traffic and the immoderate use?—Certainly.

10966a. Do you notice any relation between the traffic and the use which results in sad consequences?—Of course there is a manifest relation, that those who are engaged in the sale of liquor are the agents for supplying what is used either moderately or immoderately, practically.

10967a. Do you regard the trade as established as promoting such use as is evil in its effects?—It does both. It serves in my judgment, to supply the proper and reasonable needs of a large number of people who in their own judgment think they can use certain things in moderation, and who so far as the public are concerned, do use them in moderation.

10968a. That suggests another question: have you observed during your many years of contact with the people, whether any percentage and if so whether a considerable percentage of those who for a time use drinks moderately have come to be excessive users?—There is no question as to that. It would be a mere guess to say what proportion.

10969a. Do you think it is a large or small proportion?—I think it is a small proportion of the whole number. That is there are very many people who have used in

some degree intoxicating drinks during a long course of years to whom intoxication is a thing unknown.

10970a. What is the effect upon the young people?—Of what?

10971a. The effect of the habit on the part of their parents?—It is rather difficult to answer that question.

10972a. What I want to get is the result of your observation of the effect of what is called the moderate drink habit in the families upon the children in those families?—I do not know that I can answer the question with any degree of accuracy. It is a matter that would involve thinking of a great many scores of cases. But what I can say is that while there are undoubtedly young men who have been brought up in homes where liquor has been used who have turned out dissipated, there are others who have turned out thoroughly sober and respectable, as far as I have known all their manhood through. I can think of many of both sorts. I can think also of young men, the sons of total abstainers, who alas! have become dissipated also. What I mean by moderation is the use with very careful restriction, with a consideration of our climate and everything else. I emphatically encourage all young men and young women to be abstainers while they are minors; I say to them, "Wait till you are twenty-one or twenty-five or thirty, and then you will perhaps find that you will be just as well to continue leaving the whole thing alone." But what I desire to avoid in talking to young men is making a sin what is no sin; treating as a wrong what in my judgment is not a wrong; and I think one has more influence with people, old or young, in recognizing frankly their right to independent judgment in the matter, though at the same time warning them of the perils; and my conviction is that we must depend mainly, not on law, which has its function to fulfil, but on the development of self-control in the individual, and that self-control must be secured, first, by the influence of the home, and then the school and churches and societies and all moral and religious influences that are brought to bear on the individual.

10973a. I think you have said already that a good deal of domestic misery and wretchedness is traceable to the drink traffic?—Unmistakably, and in Toronto poverty and suffering of all kinds. I do not minimize the evil. All I say is that the evil is confined to a small fraction of our population.

10974a. Have you observed the effect of the drink traffic, as established, on industrial interests?—No, I do not think I can give an opinion.

10975a. For instance, upon wage-earners—upon their wage-earning power?—There is no question at all that if a man is given to drink he will reduce his wage-earning power.

10976a. I think you said you do not regard the evil as sufficiently extreme to warrant the enactment of a prohibitory law. Do you regard the evil as grave compared with other evils?—Certainly.

10977a. You favour the prohibitions of the License Law as to hours of closing, closing on Sunday, sale to minors and so forth?—Yes, I think, in the main, the law as it exists in Ontario is adapted to the situation.

10978a. What are your reasons for favouring those prohibitions?—My reason for favouring the prohibition of selling on Sunday is very much the same as for stopping any other business on Sunday.

10979a. The violation of the Lord's day?—Exactly, that is one thing.

10980a. Why do you favour the prohibition of the sale from seven o'clock on Saturday evening to a certain hour on Monday morning?—I suppose the main practical reason with me would be this, that that being the day on which men as a rule were accustomed to get their wages, it is a very desirable thing that men who would be tempted to mis-spend their money and who would spend a great deal more than they should in that way, should be deprived of the chance and the money should go to their wives instead of going to the bar.

10981a. Then there is danger that with open saloons the wages would be diverted from their proper uses?—Certainly, but that must depend largely on the individual.

10982a. But the individual is helped largely by the prohibition?—Certainly; you put it out of his power. But what I am convinced of is that the ideal we have to aim

at is, to develop such self-control among workingmen, professional men and all men that it would not matter if there were ten saloons on their way home as to what they would do with their money.

10983a. But it does seem to matter now?—Of course it does.

10984a. Do you think it is well to provide a condition of things that makes self-control easier?—Oh, yes.

10985a. And for that reason you favour the prohibitions that are in the license law? for instance, that the licensed places must close at ten o'clock at night and not open till seven in the morning?—I do. I believe on the whole that the restrictions that exist are valuable and helpful to society.

10986a. Do you believe in the restriction of the number of licensed places?—Yes, because that comes very near to what I think ought to be carried out, namely, that the sale of liquor ought to be confined to *bona fide* hotels. A number of us, years ago, tried to get that carried out gradually in Toronto.

10987a. You would abolish the saloon, then?—Certainly, and confine the sale of liquor to places that are really places of entertainment for travellers.

10988a. Would that be a sort of class legislation?—I don't exactly see that it would.

10989a. There are a class of people who like to drink who are not frequenters of hotels?—Neither are they of saloons.

10990a. But there is a class of people who frequent saloons and do not frequent hotels; would it be an interference with their rights?—I would leave that to them; they would find very easily a way out of that difficulty.

10991a. Just what I want to find out is how far you favour the prohibitions that exist, and why?—I have not considered every one of these restrictions in detail. I regard all our liquor legislation as being just practical attempts made from time to time to remedy practical evils. I do not know that it is based on ideal principles; but, in the main, I find that as a practical thing, it works well, and I am satisfied that it has worked well in Toronto.

10992a. The history of the dealings with this matter shows that the restrictions have been constantly increased and the prohibitions multiplied—that the trade has been more and more hampered. Do you believe that steady increase of restriction is good?—I think it is quite possible that it might reach a point at which it might cease to be good.

10993a. It has not reached that point yet?—I do not think so. What I mean is that there is a broad distinction between almost any amount of restriction and prohibition. Suppose that in Toronto instead of one hundred and fifty places, there was only one where liquors were sold. If at that one, every one could get what he wanted, there is no prohibition. There is, perhaps, hampering or restriction; but still it would be possible for everybody who wanted strong drink to get it. Prohibition is an entirely different thing: it puts it out of everybody's power to get it under any circumstances.

10994a. You think, then, that the fact of a smaller number of places being licensed to sell in Toronto makes the condition of things better than if there were a larger number?—I do not think the mere number of places affects the matter so very much. Really what affects it more is the sort of places in which the liquor is sold, and the sort of men who sell.

10995a. Which class of places do you think is the most dangerous—the hotel bar, the so-called well kept saloon, or the seven-by-nine dive?—Well, I would need probably a little more experience than I have had, to say very definitely.

10996a. I will put the question this way: to which place are the young men most likely to resort who have not formed the drink habit—the well-kept hotel, the well-kept bar, or the low dive?—To one of the first two, no doubt.

10997a. Would you regard that class of place as more dangerous to the well-trained and promising man, or the other?—You mean as far as putting in his way the opportunity of drinks?

10998a. The opportunity of forming the drink habit, with all that may possibly flow from it?—I suppose there is no doubt the hotel bar would give him the more likely opening than the dive.

10999a. I suppose it would not be fair to ask you whether the licensees observe the license law very faithfully in Toronto?—So far as I know, the law is well enforced.

11000a. I suppose the law officers would know more about that?—Yes.

By Mr. Gigault:

11001a. Do you believe it is a sin to take a glass of cider or wine?—No.

11002a. Then, if the moderate use of liquors is not immoral, why should we adopt a law to put a stop to what is not immoral?—I am not anxious that such a law should be passed. But I will admit that there are laws passed for the general benefit of the community which prohibit things which are not in themselves immoral. I am fined, for example, if I do not clear the snow from the sidewalk in front of my house. There is nothing distinctly immoral in my leaving the snow for the sun to melt; but for the general good of the city I consent to the law requiring me to remove the snow. While I do not see that we need a prohibitory law in Canada, I admit that a prohibitory law may be justified in the public interest under certain circumstances.

11003a. You were asked to say why you approve of the restrictions of the license law. Do you not approve of them because they are framed in such a way as to put a stop to abuses?—That is one good reason for them. The general conviction, I suppose, of those of us whom you may call moderate men is this; that the liquor traffic has unmistakably grave dangers connected with it, and that there is need of restriction in order to prevent, as far as the law can prevent, those dangers from growing—those evils from being multiplied.

By the Chairman:

11004a. Have the Presbyterians as a body taken any distinctive attitude towards this prohibition question?—Oh, yes, and I am in the minority; I mean with respect to the deliverances in church courts—deliverances, for example, in the General Assembly, which is the supreme court of the Church. There is no question that the General Assembly has once and again affirmed its approval of a prohibitory law.

11005a. Are you in a position to tell us the degree of prohibition which the Church desires to see enacted? Would it go so far as to prevent the importation, or the making, of liquor for personal use?—I am not sure that I could answer that. I think the line drawn by any of the resolutions that I can recall was this: that they would oppose the importation, manufacture and sale for use as a beverage. They would not oppose it for medicinal or mechanical or sacramental purposes. That is as far as I recall.

11006a. But do they oppose the importation by an individual for his own use, or the manufacture by individuals for their own use? We have farmers who make cider and farmers who make wine, and in some of the states of the United States where prohibition exists, the right of the individual citizen to get any from any other state is not interfered with?—I do not think that question has ever been pronounced upon at all by any resolution of the General Assembly.

11007a. But you will notice it is a very important question?—I am afraid they would put restrictions on the liberty of the individual.

By Rev. Dr. McLeod:

11008a. I think you have said that there has been a very marked decrease of the evils of the drink traffic within your recollection—less drinking and less of the resultant evils?—Yes.

11009a. Do you believe the prohibitions provided in the laws have had any effect in bringing about this decrease of the evils?—I think they have. It is very difficult, however, for any one—obviously it is a matter of opinion—to say how much is due to this cause and how much to that. The improvement of dwellings, above all the improvement of home life, has more to do with this question than anything else, I believe. If our home training of our boys especially—because it is boys more than girls who are affected, although girls are too—were nearer the mark of the ideal, this whole matter of temperate living would be lifted to a higher level.

REV. D. J. MACDONNELL.

11010a. Do you think the prohibitions have had anything to do with the improvement of home life?—I do not see that they have affected the home life very directly or immediately. I suppose they have to some extent.

11011a. For instance, the restrictions that are thrown about the trade in Toronto help the moral influences that are steadily at work to improve the home life and the general conditions of the people. If there were fewer restrictions about the trade here, would those moral influences have the same effect? Does the law help the moral teacher?—I have no doubt it does.

11012a. If some degree of prohibition in license and local option laws had helped to bring about this condition of things, would more prohibition help to bring about a better state of things?—Not necessarily. The degree of prohibition or restriction that exists is intended specially to prevent the abuse of strong drink—is intended to prevent its use by minors or by people who have not got self-control. I feel that law can do only a restricted amount of good in that way, but it can do some; it affects conditions and circumstances. It does not at all follow that an extreme degree of restriction would do more good.

11013a. You think there is no prohibition that should affect those who are unharmed by the drink habit; they would be under another law—the law that if doing so and so would cause my brother to offend, I will not do it. Is that it?—Quite so; because the decision in the end must be left largely to the judgment of the individual man, as to what his duty is, first to himself, and secondly to his neighbour.

11014a. Do you think laws against acknowledged evils have anything to do in strengthening and educating public opinion against those evils?—Undoubtedly. I think the law has a decidedly educative effect; it is the embodiment of public sentiment on these matters.

11015a. And if the evils of the drink traffic were more marked, than they are now, could you then see the propriety of a prohibitory law?—I have already said that there might be an extreme of evil that might justify the enactment of a prohibitory law

By Judge McDonald:

11016a. I understand a question put to you a few moments ago to contain the idea of local option laws having proved beneficial; that is, that in view of benefits having proceeded from local option laws, might not a larger measure of prohibition produce greater benefits to the community?—It was rather the restrictions connected with the license law.

11017a. The question involved local option laws. I believe you have said that you have had no personal experience of the working of prohibition under local option?—No.

11018a. If marked benefits did result from these local option laws, can you say why the laws were repealed in every county in Ontario in which they were in force?—I do not know that I can give an answer.

11019a. Did I understand you to say that the effect of having a law upon the Statute-book which is not in accord with the sentiment of a very large majority of the people and is not well enforced is injurious to the community?—Certainly.

11020a. Do you believe it is apt to produce a contempt of other law?—I do.

By the Chairman:

11021a. You spoke about the improvement of the dwellings of the people having had a very definite influence in reducing intemperance. Do you think the shortening of the hours of labour of the working classes would tend to lessen intemperance in the community?—I do not know that that by itself would have any direct effect. It certainly ought not to have any injurious effect. In speaking of the improvement of dwellings I meant to indicate the improvement of the whole external conditions of living—the conditions of home life and social life; because we know that many a man would be less inclined to go to the saloon as his place of resort in the evening if he had an inviting and attractive home.

11022a. He would be disposed to spend more of his time at home?—I should think so.

11023a. If he had more time available for that purpose, would it be an advantage?—It would be no disadvantage at all events.

11024a. Do you think the provision of parks and places of recreation for the people has a tendency to stimulate temperance habits?—Certainly I do. Every wholesome element that can be introduced to make the lives of men richer and fuller and more useful has its effect; and hence I give hesitating answers to specific questions as to whether so and so will lessen intemperance, because it is a thing that is affected by a hundred influences at once. I may say this: that it has struck me again and again at our Industrial Exhibition at Toronto—and the same thing struck me at the Chicago Fair—that you see thousands and tens of thousands of people brought together for days at a time, and it is the rarest thing to notice as much as one intoxicated person during the whole ten or twelve days of our exhibition here. I have myself been there very frequently during these past years, and I have heard others give the same testimony. It is one of the things that I often cite as an indication of the growth of sobriety, that whereas in the olden times fairs were associated with broken heads, and a very lively time generally, now you will have tens of thousands of people day after day in large gatherings, and they come and go, and there is scarcely any, even the smallest occasion, for the interference of the police in any way on account of riot or disorder or drunkenness. That is one of the facts that show how there has been a growth of self control and temperance, and good behaviour on the part of all sorts and conditions of men, and I am always sorry when my brethren speak pessimistically, as if things were dreadful and we were going backward, whereas, in my judgment, we have been going steadily forward as a community in this particular matter.

By Rev. Dr. McLeod :

11025a. Have you noticed that this improved condition of the people, this increase of sobriety, and increased restrictions about the liquor trade have gone on side by side?—There is no doubt about that.

11026a. Have they any relation to each other?—Certainly they have; but not that alone accounts for it.

By Judge McDonald :

11027a. Speaking of these restrictions referred to by Dr. McLeod, have you found any, and if so how large a section of the population opposed to these at all?—I cannot answer that question with any degree of accuracy. I may say that so far as my observation extends, I find practically no opposition among the people with whom I talk to the existing restrictions of our Ontario license law. I have no doubt there are people who turn up after seven o'clock on Saturday evening who think it a very unreasonable thing that they cannot get what they want; but I have not in my recollection heard any one speak of these restrictions at all in the same way as I have heard many men speak of their antagonism to an attempt to enact a strictly prohibitory law.

By Rev. Dr. McLeod :

11028a. Was there not earlier very much opposition to restriction?—I suppose there has been opposition.

11029a. Have not these restrictions been won by constant agitation?—There is no doubt about that.

11030a. And those restrictions have been thought necessary by the majority of the people on account of the evils attendant on the drink traffic?—There is no doubt about that.

11031a. And they have grown from year to year as the result of agitation?—There is no doubt about that, and I do not wish you to consider me as objecting to every reasonable attempt being put forth to restrict the evils connected with this matter.

11032a. That word suggests another question: can you remember when the restrictions now so generally favoured were regarded as unreasonable, and opposed as such?—I cannot give any special testimony about that. I have no doubt that they were. Of course, restrictions were always opposed by those who were interested in the

REV. D. J. MACDONNELL.

unrestrained sale, and I have no doubt that what you suggest is also true, that they were also opposed by many people in the community who did not see why there should be any limitation at all.

11033a. But as the years have gone on people have come to see the improvement they produced?—Of course; but this is to be borne in mind, that a large portion of our people in Ontario are total abstainers, and these restrictions have been secured largely by the action of total abstainers; and that fact is a part of the question. It is a question how far those people who do not want those things for themselves should carry even the majority in compelling the other part of the community to come under what they consider to be hampering restrictions. I cannot tell, but I suppose that probably a clear majority of our people in Ontario are total abstainers; and out of a hundred men you have sixty who are total abstainers, it is a question how far they have a right to say to the other forty, "We don't want any, and we don't think you should have any, and we don't intend to let you have it by law."

11034a. Is that your idea, that the majority of the people have come to regard the drink traffic as established as an injury, and that for that reason they would be in favour of having the traffic delegalized?—There is no doubt that is their view.

By the Chairman :

11035a. Is it your idea that the sixty persons who are total abstainers would all favour a prohibitory law?—No, far from it. Some of the strongest opponents of a prohibitory law would be found among those total abstainers. The total abstaining is a moral influence which a man brings to bear individually; the prohibition is a legal compulsion which, in a matter of this kind, ought, in my judgment, to be kept within the narrowest limits that are needful for the good of the community.

By Rev. Dr. McLeod :

11036a. And yet you are unable to say how far that prohibition should go—I mean the prohibitions of the license law. For instance, you believe in prohibition for nine hours out of the twenty-four?—I do not put it that way. I look on the law as simply a practical measure to meet a practical evil. I suppose beyond the permitted hours there was an opportunity for improper indulgence, and it was felt that all men who were living reasonable lives could get all they wanted within the prescribed hours of sale. I suppose that is the view that prevailed.

JOHN SMALL, on being duly sworn, deposed as follows:—

By Judge McDonald :

11037a. You reside in Toronto?—Yes.

11038a. You are Her Majesty's Collector of Customs here?—Yes.

11039a. How long have you held that position?—Nearly three years.

11040a. You have been a resident of the city all your life, I believe?—I have.

11041a. You were at one time a member of the House of Commons for one of the divisions of the city?—Yes.

11042a. Have you figures with you in reference to the imports of liquors into Toronto?—Yes, I have prepared a statement for the last three years—from March 1893. The time was not sufficient to enable me to give you the figures before 1890. The figures are taken quarterly, and they give the importations in quantities and values, showing what has gone into consumption, of ale, beer and porter; brandy, cordials, gin, rum and whisky; wines other than sparkling, and sparkling wines—champagne.

11043a. Can you give us the totals for each year?—Yes.

	Imported.	Entered for Consumption.
Ale, Beer and Porter—		
1890	16,255 gallons	19,519 gallons.
1891	13,745 "	17,670 "
1892	12,330 "	14,736 "
Brandy, Cordials, Gin, Rum and Whisky—		
1890	50,328 gallons.	56,135 gallons.
1891	44,326 "	47,252 "
1892	44,353 "	47,624 "
Wines other than sparkling—		
1890	32,500 gallons.	43,124 gallons
1891	29,580 "	34,884 "
1892	25,067 "	29,375 "
Sparkling wines—champagne—		
1890	895 dozen.	1,768 dozen.
1891	1,499 "	1,495 "
1892	984 "	1,326 "
Totals of all liquors imported—		
1890	99,083 gallons.	118,778 gallons.
1891	87,651 "	99,807 "
1892	81,750 "	91,736 "

Showing a decrease year by year for the last three years on the total consumption of everything.

11044a. Are those figures for the fiscal year?—No, commencing with March, 1890, and ending with December, 1892. Practically, from the beginning of 1890 to the end of 1892.

11045a. Has not the rate of duty been increased since then?—No, I think it was in 1889.

11046a. Have you considered the question of the enactment of a prohibitory law for the Dominion prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—No, I have not.

11047a. You are not in a position to say whether you would favour the enactment of such a law?—I am decidedly opposed to it.

11048a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—Most decidedly.

By Rev. Dr. McLeod:

11049a. I think you said you had not given consideration to the question of a prohibitory law?—Yes, I think it is altogether impracticable.

By Mr. Gigault:

11050a. Is there any smuggling going on now in spirits?—No.

11051a. If we had a general prohibitory law, do you think it would be very hard to prevent smuggling?—I think it would be very hard indeed.

11052a. Do you think it would require a very large number of officials?—That is my impression.

11053a. Have you been in counties where the Scott Act was in force?—I cannot remember. I suppose I have passed through them.

11054a. Do you know if the Scott Act was very well enforced?—Yes.

11055a. No selling?—You could always get what you wanted at some places.

11056a. Do you think the Government would be subjected to a very largely increased expenditure in order to prevent smuggling, should a general prohibitory law be

JOHN SMALL.

enacted?—You would require so many additional officers all through the Dominion that it would necessarily entail a very large expenditure.

11057a. Would the smuggling of liquors be very easy on the lakes?—Along the frontier.

By Rev. Dr. McLeod :

11058a. There is no smuggling of any kind, is there, in your district?—Not what you might look upon as smuggling.

11059a. I suppose you have preventive officers all along the lake, and at all the inlets and outlets?—Yes; there are some few who try to cheat the Government if they get the opportunity, importing their goods without paying duty on them.

11060a. You have occasionally cases of that kind?—Oh, yes.

11061a. And if they are caught you confiscate the goods?—Yes.

11062a. How many preventive officers have you in your district?—I suppose you mean landing waiters; I think they are called preventive officers in the Lower Provinces. I do not suppose we have more than five who are appointed landing waiters, but we utilize the services of others.

11063a. They have enough to do, I suppose?—Yes, quite.

11064a. Are liquors not sought to be smuggled in sometimes amongst other things that are brought in?—I am not aware of any.

11065a. It is other articles chiefly?—Yes.

11066a. And notwithstanding that seizures are made and penalties imposed, I suppose smuggling goes on to some extent?—Yes, to a slight extent.

11067a. There are always men willing to take the risk for the sake of the possible profit?—Yes.

By Judge McDonald :

11068a. Are the goods smuggled mostly of the kind that people could obtain in Canada if they wanted?—Most decidedly.

11069a. Only perhaps they would pay a higher price?—Yes. Jewellery and things of that kind.

11070a. In case people could not get at all in Canada the articles they wished for, and the law did not permit them to bring them into the country, would you anticipate a great deal of smuggling?—Most decidedly. I think there is no doubt about that.

11071a. Can the amount of liquor smuggled into the country at the present time, when it is made in the country and can be obtained here, be fairly put into comparison with the amount of smuggling there would be if people were prevented from making it or buying it in Canada?—Take, for instance, the article of opium: there is a good deal of smuggling in that; and I suppose you might apply the same rule to all other articles.

11072a. It is believed there is a great deal of opium brought through Canada into the United States?—Yes, large quantities.

By the Chairman :

11073a. There are a great many other ports of entry in Ontario besides Toronto?—Oh, yes.

11074a. The liquors of which you have given us the figures of importation would not necessarily be consumed in Toronto?—Not necessarily. If imported by wholesale merchants here, they might find their way to some towns and villages in the interior.

11075a. Then we could not take these figures as indicating that they are all consumed in Toronto or any other part of the Province?—Not any particular part of the Province. I question whether any would be sold in Hamilton, for it has its wholesale importers as well as Toronto.

11076a. But the Hamilton importations would not necessarily be consumed in the city of Hamilton?—No.

By Mr. Gigault :

11077a. Do you think that any portion of the liquors imported here go to Manitoba or the North-west?—I do not think so. I think Montreal is the importing point, if I mistake not, for Manitoba and the North-west.

11078a. No wholesale merchants here are importing for the North-west?—I do not think so. They may buy small quantities from the merchants here; but I do not think any merchant here imports directly for the market in Manitoba.

By the Chairman:

11079a. There is no reason why importations should not go direct to Winnipeg; that is a port of entry the same as Toronto?—Certainly.

W. C. STRATTON, on being duly sworn, deposed as follows:—

By the Chairman:

11080a. You are the Collector of Inland Revenue for Toronto?—Yes.

11081a. Over what district have you control?—The counties of York, Peel, Dufferin, Simcoe, and Muskoka and Parry Sound as far west as Pic River, about half way between Sault Ste. Marie and Port Arthur.

11082a. Into how many collection districts is Ontario divided?—About ten or twelve.

11083a. Is yours the largest?—The largest in Ontario.

11084a. And I suppose you collect the largest amount of revenue?—Yes, in Ontario.

11085a. Have you any statistics to bring before us showing the amount of the collections?—Yes, I have prepared a statement for each fiscal year ending the 30th of June, from 1881 to the present time. I became collector in December 1880. The collections from all sources, including cigars, for each fiscal year were:

1880-81	\$ 839,740 17
1881-82	988,599 80
1882-83	1,067,588 72
1883-84	895,905 06
1884-85	1,408,918 87
1885-86	805,672 56
1886-87	1,081,069 22
1887-88	956,175 30
1888-89	1,117,356 07
1889-90	1,341,610 58
1890-91	1,042,673 74
1891-92	1,175,813 19
1892-93	1,198,043 73

11086a. These are the total collections?—The total collections in my division.

11087a. Can you tell us the revenue for the same years which has been collected from intoxicants?—I could not do that without calculating it. I can provide that in another statement.

11088a. Can you tell us whether the revenue from that source has largely increased?—From beer or ale, of course it has, because the duty has been doubled: since 1891 it has been two cents a pound where it was only 1 cent before. But the basis of the duty is somewhat less. For instance, there has been a trifle over eleven million pounds used in each of the two last years.

11089a. Can you tell us if the quantity of malt liquors made has largely increased during the period covered by your revenue?—No, the quantities are just about level—about the same.

11090a. Then, although there has been a large increase in population, you say there has been no material increase in the quantity of malt liquors made in your district?—No. I have the figures here, showing the exact number of gallons made. I cannot give you those of 1881.

JOHN SMALL

11091a. Take the first and the last year?—In 1882 there were 3,101,821 gallons, and last year 4,544,879 gallons, a difference of over a million and a half.

11092a. Then there was an increase?—Yes, as between the first year and the last, a very large difference. I had reference to the last few years. For the last eight years it ran each year about four millions.

11093a. How was the production affected during the years in which the Scott Act was in operation in a large number of counties in the Province—from 1885 to 1889; did the figures vary largely in those years?—The figures are:

1883-84.....	3,427,951
1884-85.....	3,240,367
1885-86.....	3,415,354
1886-87.....	3,726,793
1887-88.....	4,120,402
1888-89.....	4,333,875

11094a. Then the consumption in the fiscal year ending the 30th of June, 1887, was larger than it has been in any year from and including 1884?—Yes.

By Rev. Dr. McLeod:

11095a. And the consumption has increased somewhat each year since?—Yes. The largest was in 1890 and 1891. In 1890 it was 4,889,626, and in 1891, 4,867,524. Since that year there has been a slight falling off. In 1892 it was 4,479,154, and in 1893, 4,544,879.

By the Chairman:

11096a. Of the malt liquors manufactured in the province, is much sent to other provinces or exported out of the country?—There is quite a lot of it sent to the other provinces, but there are no exportations from Toronto to foreign countries that I am aware of.

By Rev. Dr. McLeod:

11097a. Do you know whether the exports to other provinces have increased, or kept about the same?—I have no means of knowing that, because it is never shipped in bond. They are perfectly free to ship it as they like.

By the Chairman:

11098a. In almost every province there are breweries?—I think in almost every province. We have thirteen here.

11099a. Can you give us the total quantity of grain used in the manufacture of malt liquors?—For each fiscal year it was:—

	Pounds.
1882.....	19,788,257
1883.....	33,599,409
1884.....	22,444,798
1885.....	22,201,932
1886.....	18,045,614
1887.....	17,247,712
1888.....	19,562,262
1889.....	22,254,197
1890.....	26,317,188
1891.....	20,379,563
1892.....	21,333,983
1893.....	13,339,083

11100a. How do you account for the large decrease in the last year?—There are two of our largest malt houses one of which did not work at all, and the others worked only a portion of the season; and a small one in Orillia did not work at all.

11101a. Yet a larger quantity of malt liquor was produced in that year, than in previous years except 1891?—That simply means that they used the malt they had in bond from the previous year or years.

11102a. Had it in stock?—Yes.

11103a. Is malting going on vigorously at the present time in your district?—No, they have hardly commenced yet. They do not commence until the cold weather has settled.

11104a. During the coming season do you anticipate a largely increased quantity of barley to be malted, or any reduction in the manufacture of malt liquors?—I do not anticipate any reduction. I anticipate just about the same.

11105a. Can you give us the quantities of spirituous liquors produced?—Yes.

	Gallons proof.
1882.....	1,380,326·31
1883.....	2,001,256·50
1884.....	1,949,614·39
1885.....	1,600,802·88
1886.....	1,812,338·41
1887.....	2,248,776·29
1888.....	2,494,967·81
1889.....	2,547,589·67
1890.....	2,011,021·65
1891.....	1,642,573·14
1892.....	1,611,596·52
1893.....	1,133,849·07

11106a. From 1890 there has been a reduction. Was there any change in the excise duty immediately preceding that year?—The duty was changed, I think, in 1891. From 1882 to 1886 the duty was a dollar a gallon; from 1886 to 1881 it was \$1.30; and from 1891 to date \$1.50.

11107a. The distillers are required to keep their product how long in stock?—Two years.

11108a. When did that regulation come into effect?—In 1888.

11109a. Did that regulation have any effect upon the quantities entered, upon which excise duties were paid?—It did have a slight effect just before the first of July, when the arrangement first came into force. Those who had spirits in bond that were not quite two years old took them out and paid the duty on them so as to get the use of them.

11110a. I notice that in your statement you say “proof gallons manufactured.” How do you get at this quantity?—It is determined by a mechanical appliance—Sykes’s hydrometer.

11111a. Are these the quantities on which duty was paid?—Yes.

11112a. Would it necessarily be all that would be manufactured?—All that would be manufactured, unless some was manufactured illicitly.

11113a. Are not spirits left in bond?—That is the absolute quantity manufactured each year. Of course they ship them in bond to the extreme east and the extreme west, and they pay duty here on goods that go into consumption in Manitoba and other places. A very large portion of these goods is not consumed here.—Some of it is exported.

11114a. Are the duties paid as the whisky is manufactured or as it is taken out of bond?—As taken out of bond.

11115a. Then these are the quantities taken out of bond?—No, the quantities manufactured. As soon as it is manufactured, the quantity so manufactured is ascertained, and the distiller is immediately debited with that quantity.

11116a. I noticed that in the last three years a very much smaller quantity has been manufactured. To what is that to be attributed?—Of course, if they had gone on manufacturing the large quantities they did before, they would have required a very much larger storing capacity, and the thing would not pay them.

11117a. For four years preceeding 1891 the quantity manufactured was each year over two million gallons; then it dropped down to 1,600,000. What is the real explanation of that great falling off?—I could not give you the explanation of that.

W. C. STRATTON.

11118a. Is there less demand for whisky or less consumption?—That I could not say unless I compared the aggregate manufacture for all other divisions.

11119a. May it be accounted for by distillers in other districts getting a larger portion of the trade?—It may be accounted for in that way, and by competition in business.

11120a. You are not able to tell us distinctly what the great reduction arises from? Sometimes there is an interchange of spirits between the distillers. That is, if one distiller has not manufactured a sufficient quantity, he gets some from his neighbours, and that may have taken place that year. Of course I cannot say whether that is so or not. But the manufacture is generally in accordance with the requirements of the trade whatever they may be.

11121a. In the case of whisky manufactured in Ontario and shipped to the Province of Quebec, would the duties not be paid in Montreal or at any other point to which it was sent?—Yes, wherever it was ex-warehoused—wherever taken out of bond.

11122a. On whisky manufactured in Toronto and shipped to Montreal the duties would not necessarily be paid here?—The probability is that they would be paid in Montreal.

11123a. Where the whisky is supposed to be consumed?—Certainly. There would be less liability to loss in case they are not consumed. That is the absolute practice.

11124a. The materials used in the making of those quantities of whisky were what?—I have itemized them here: malt, Indian corn, rye, wheat, oats and barley.

11125a. Just give us the total quantity of grain of all kinds used in the first year and the last?—The total quantity in 1882 was 33,201,900 pounds, and in 1893 18,567,807 pounds.

11126a. The quantity of grain used would vary in accordance with the quantity of whisky produced?—Certainly.

11127a. Now give us the quantities of the different kinds of grain for the first year and the last?—I am unable to give the items for the years 1882 and 1883; I can give them for any year since.

	Malt.	Indian Corn.	Rye.
1884	1,813,900 pounds.	26,467,200 pounds.	6,034,465 pounds.
1893	677,380 do	14,765,430 do	2,827,660 do
	Wheat.	Oats.	
1884 None	895,435 pounds.
1893 61,600 pounds	217,400 do

11128a. Can you tell us the quantities of these various grains which are the production of Canada, and the quantities which come from the United States?—Not of my own knowledge. I suppose everything is the production of Canada with the exception of Indian corn. Malt would be the production of Canada; rye might be imported, or partially imported; wheat, oats and barley would all be the production of Canada.

11129a. Would any considerable portion of the Indian corn be the product of Canadian farmers?—I really could not say. I would be inclined to suppose not.

11130a. Have you anything to do with the inspection of liquors?—Nothing further than either to take or have taken samples for analysis as I am ordered from the Department.

11131a. Have you any staff whose special duty it is to attend to that work?—Under the Adulteration of Food Act any excise officer is authorized to act.

11132a. Have you any one specially appointed to make inspection and to endeavour to discover causes of adulteration?—No.

11133a. You only make examination as you are directed from headquarters?—From headquarters. We get a list of the samples to be taken, and we take them.

11134a. Do you mean that you have indicated to you the persons whose premises you are to visit?—No, that is left entirely to my own judgment.

11135a. You are simply told to take samples of whisky or brandy or whatever it may be, and have that sent in for examination?—Yes.

11136a. Do you get these instructions frequently?—Not in recent years, because the Department has a person in Ottawa who is sent all over the country, and who takes samples. He was here the other day.

11137a. Can you tell me his method of getting samples?—He goes into a place ostensibly as a purchaser, and after he makes the purchase he announces what he is going to do with them, and he divides each sample into three parcels, one of which he gives to the seller, one of which he delivers personally to the public analyst, and the third is shipped to the chief analyst at Ottawa.

11138a. There is a public analyst at Toronto, is there?—Yes, Dr. Ellis.

11139a. Have many examinations been made by this officer in recent years?—There have been quite a number; I could not say how many; chiefly milk and spices.

11140a. I am speaking of liquors?—Liquors have been taken also. Within the last year I got instructions to take samples of every variety of beer made by all the brewers in the division.

11141a. Have you any knowledge personally or have you in your possession any reports showing the result of this examination?—No, I have not.

11142a. You do not know if discoveries have been made of serious adulterations of liquors?—No, I do not think that has been charged or discovered in any of the analyses. I have never heard of any. I have generally understood that the analyses showed samples to be fairly pure.

11143a. Do you think there is much adulteration of the liquor sold in the city?—I could not say as to that. I fancy the chief adulteration is water.

By Judge McDonald:

11144a. We learned at the Walkerville distillery, of Walker and Company, that empty barrels and casks that had come back to them were sometimes found to contain tobacco and sometimes meat that had been put into the liquor. Do you know whether any such thing has been discovered in Toronto?—Yes. Sometimes they have found buffalo robes and sometimes fur jackets in them when they were returned to the distillery.

11145a. Those had been used for storing?—Yes.

11146a. I refer to tobacco or meat or other things that are put in I suppose to change the character of the liquor?—I have not heard of anything of that kind here.

11147a. I think the idea was that the meat would give the liquor "body," and that the tobacco would give it, as Mr. Walker said, "scratch;"—the man who drinks it liking to have something to touch his throat as it goes down?—I fancy there is a good deal of imagination about the effect produced by the small quantity of tobacco they put in.

11148a. Have you ever heard that the liquor is diluted to such an extent with water that these substances are added to make up for the loss of strength?—There is a legend to that effect, but I do not know anything of it personally.

11149a. You have never heard that the analysts here discovered anything of that kind?—I have not.

11150a. Do the analysts take the liquor from bottles or from casks?—We just take it as fancy suggests.

11151a. Have you ever taken any yourself?—Yes.

11152a. What is the plan you adopt when you go into one of these places?—I just go in and take a look around, and I say, "I want so much of that." If it is suggested to me that I should take something else. I say: "No; I want that out of that particular bottle or particular barrel;" and I take it and seal it up according to the regulations, and then dispose of it.

11153a. Does Dr. Ellis make the analysis in this city?—Yes.

11154a. He is for that purpose a Dominion official?—Yes; and the person from whom the sample is taken has an opportunity to go and see it opened, the hour at which Dr. Ellis will open it being announced to him.

11155a. So far, then, as your observation goes, the results of the analyses have not been to show deleterious adulteration?—Oh, no. If there was deleterious adulteration, prosecution would ensue.

W. C. STRATTON.

11156a. Do you think it would be well to have a more frequent inspection and testing of liquors?—I really could hardly say as to that.

11157a. In going to the places, from time to time, do you visit different parts of the city and establishments of all grades?—Not as a rule. I do not visit these places officially unless it is for the purpose of taking samples.

11158a. In getting samples do you visit what would be called different grades of places—those where the cheaper liquors are sold and which are more cheaply fitted up and furnished as well as those where perhaps high-priced liquors are kept and the fittings and furnishings are more expensive?—We get generally a fair average. From the “dives” we do not take any samples. We take them just from the ordinary every day selling place.

By Rev. Dr. McLeod:

11159a. Do you take in the hotels?—Yes.

11160a. And the wholesale establishments?—Yes.

By Judge McDonald:

11161a. In which kind of place would you expect most likely to find deleterious adulteration? Would it be in what is called the lowest class of place?—I hardly think so, because as a rule I would expect that they would have only very small quantities; they would have to get it in a very precarious way, and they would likely sell it as they procured it, because they would not have any facilities in the place for treating it. For instance, take a place that is supposed to run on Sunday; they get so many bottles of beer in or so many gallons of whisky, and it is generally sold just as they get it unless they add water to it. I do not think they would have any facilities for compounding it.

11162a. Have you any licensed compounders in Toronto?—One.

11163a. Is there any inspection of his business?—There is no special inspection. I think we have taken samples of his production for analysis.

11164a. What is his name?—Mr. Turner. He manufactures Turner's Bitters. His address is the corner of Temperance and Yonge Streets.

By Rev. Dr. McLeod:

11165a. Are those bitters supposed to be a medicine?—I think not.

11166a. A cordial?—We do not charge any person a license fee who makes bitters. It is a cordial really.

By the Chairman:

11167a. Have you many patent medicine manufacturers in the city?—Quite a number.

11168a. Are their productions examined?—No; up to quite recently I charged them a compounder's fee on the ground that what they made was cordial; but the department has decided against me; so that last year and this year I have not charged them any fee.

11169a. When you charged them a fee did you reach any conclusion as to the amount of alcohol they were using?—None whatever. What they were using was all duty-paid.

11170a. Have you any idea of the percentage of alcohol these manufacturers of patent medicines are using?—I have not any idea.

11171a. Do they ship in large quantities?—That I could not say. They keep no stock books and make no returns, so that I do not know what they make.

By Rev. Dr. McLeod:

11172a. Having lived in this city for a good while, have you observed what effect the liquor traffic has upon general business interests?—I do not think I could answer that question. I do not know that I could say what its effect would be.

11173a. Have you observed whether the liquor traffic affects at all the industria, interests of the city or the country?—There is no matter of doubt about it. Of course it gives employment to a very large number of people.

11174a. Does it affect other industrial interests—beneficially or injuriously?—I do not know that you could say that it affects any other interest injuriously. It certainly affects individuals injuriously.

11175a. Do you think to a large extent?—Well, perhaps not as large as is generally supposed. I think of course there are some isolated cases where the individual becomes a perfect failure in life through it, and absolutely loses his life in consequence of it. But I believe the percentage of those who meet with that fate is very small compared with the number who drink more or less.

11176a. I am not referring particularly to the drink habit; but does the establishment and carrying on of the liquor business affect the industrial interests of the community in that it reduces the wage-earning power and the purchasing power of the employees? Have you observed whether that is so or not?—I have not. But I would not suppose that it affected any other than the individual, because if a man has a factory, there are plenty of men, and if one does not suit him he can get another.

By Mr. Gigault :

11177a. Can you tell us about what is the price of the grain used here in making liquors?—I could not, because the price varies so very much. Barley for instance, is down to less than fifty cents a bushel this year, perhaps about forty-four cents; whereas in the earlier years it was up to nearly a dollar. The price of corn varies each year; so does the price of wheat. It would be almost impossible to say what its value is.

11178a. Do you know what the price is this year?—I think barley is about forty-four cents.

11179a. Do you know the price of oats?—I have not the slightest idea.

11180a. Do the brewers of Toronto ship a good deal of beer to the other provinces?—Oh yes, large quantities.

11181a. Do you collect the duty upon the malt used in making that beer?—All of it is paid here.

11182a. But a large portion of the beer is consumed elsewhere?—Yes, a large quantity; and there is a large quantity of beer from other districts shipped into Toronto, the duty on which is paid at Windsor or London or other places.

11183a. I thought you said that the duty on whisky was paid in the place where it was consumed?—Yes.

11184a. Are there no exceptions to that rule?—Yes, the duty may be paid here, and it may be consumed in Peterborough or Kingston.

11185a. If whisky is sent from Toronto to Montreal or Sherbrooke or Quebec or Three Rivers, do you think the duty will be paid in those places or will be paid sometimes here?—I should think that it would be very rarely that it would be paid here.

11186a. You think there are some exceptions?—There might be isolated cases where it would be paid here as a matter of financial accommodation or something of that kind to the party to whom it was sold, or else it certainly would not be paid here. There would be no object in it. In the first place, unless the purchaser had a bonding warehouse, it would not be shipped to him at all unless the duty was paid here.

11187a. Do not such cases occur?—He may if he likes have it shipped to the order of the collector at the head office, but he must construct a warehouse and pay the duty on whatever he requires and that is done in some cases.

11188a. I asked that question to ascertain the quantity of liquor consumed in each province; and that is very hard to find out, because the duty is not always paid where the liquor is consumed?—I cannot say what it is. It is impossible to say.

By the Chairman :

11189a. Is it, or is it not, a fact that nearly all the large distilleries have agents in all the large cities of the different provinces?—I do not know. I could not name a single individual who is an agent of any distillery.

W. C. STRATTON.

By Mr. Gigault :

11190a. Is there any illicit distilling in your district?—Oh, yes, there is no doubt there is some.

11191a. To a very large extent, do you think?—I think there is a considerable amount of it going on in the Muskoka district.

11192a. Do you think that if we had a general prohibitory law there would be still more illicit distilling?—I am inclined to think there would be, judging from my experience with it.

11193a. Do you think there would be a good deal of smuggling if we had no liquors manufactured legally in Canada?—I could not come to any other conclusion.

11194a. Do you think it would require a larger number of officials in order to prevent illicit distilling and smuggling?—I do not think it would require any larger number than there are now; but it would mean this, that whereas now those who drink the liquor are paying for the administration of the law in regard to it, in the other case there would be no revenue from it. There would in that way be a larger direct expense to the country. But I think the present staff of officers could enforce the law then probably as well as they can now. We are now supposed to keep down illicit distilling. Of course we do not do it. We do it as well as we can; but the public will give us absolutely no assistance in the matter. Any information we get is generally the result of some quarrel between those who are interested in carrying it on. After we get the still, we then find that the whole neighbourhood, or a good portion of it, knew all about it.

By Rev. Dr. McLeod :

11195a. The neighbourhood sharing in the profit, maybe?—No, but there seemed to be an objection to giving us any assistance on the part of the neighbours.

By Mr. Gigault :

11196a. Do you think that liquors illicitly distilled are more injurious to the health than liquors distilled by licensed persons?—I do not see why they should be.

11197a. What is the reason of the regulation that whisky must be kept in stock for two years? Is it not for the purpose of freeing it from impurities?—I presume it is.

11198a. Then liquor consumed as soon as it is distilled could not be as free from impurities as the liquor made in the distilleries over which you have control?—It would depend largely on what it was made of. If it were made from sugar or molasses there would not be many impurities in it, and the greater portion of the whisky we find illicitly distilled is made from molasses.

By Judge McDonald :

11199a. Any from potatoes?—Not in my experience.

By Mr. Gigault :

11200a. Is it your opinion that whisky made from molasses is as good as whisky made from grain?—I cannot express an opinion. The distillers have always made every effort to get rid of the fusel-oil, because they could have no financial object in keeping it in; for they get credit for everything they destroy in respect of the duty.

11201a. Do not chemists say that liquor used two years after it is made is freer from impurities than if used immediately?—That may be so. I do not know what their views are in regard to that.

11202a. Do your distillers export much liquor to foreign countries?—I do not know what their exportation is. There is some, but the price on the other side, I fancy, is too low to make it pay.

11203a. Have you travelled through counties where the Scott Act was in force?—Yes, occasionally.

11204a. And how did you find it work?—In one instance, I suppose the only one that came under my notice, I was in a town in company with a friend of mine. This gentleman wanted something to drink, but he could not get it; the hotel-keeper did not have it, or could not supply it. We went out, and met a third party, with whom we

came back to the hotel a little later, and so long as he was with us there was no trouble about getting the material ; it could be got at once.

By Judge McDonald :

11205a. You had to have a sponsor?—Yes.

11206a. Would that be necessary in Toronto under license, or could your friend get what he wanted without having anybody to guarantee him?—I do not know. I have not investigated it.

By Mr. Gigault :

11207a. In other Scott Act places could liquor be had?—That was the only one that came under my notice.

11208a. In other places liquor could be had?—I could not say of my own knowledge, whether it could or not ; I presume it could.

11209a. So you think the Scott Act was not very well enforced?—Oh, I do not think it was enforced at all.

11210a. You think it was a failure?—There is no doubt about it. I got a return of the liquors sold.

11211a. Do you attribute that failure to the fact that the people do not help the officials in enforcing such a law, as they do not help you in enforcing the law against distillation?—Entirely so. The public will not take any interest beyond simply an emotional one, unless they have some personal or financial interest. They simply stand off and say, "it does not affect me, and I will not interfere."

11212a. Was there not the same difficulty in having that law enforced as any other criminal law?—No. If a murder is committed, every one will interfere and help to bring the murderer to justice, but they do not interfere in these cases, and never will.

11213a. Did you receive any returns from counties in which the Scott Act was in force?—Yes, I had returns from Halton, from Simcoe, and I think from Ontario.

11214a. What would those returns show?—The one from Halton was the first and the most astonishing one. It showed that some of the patients required immense quantities of spirits to cure them.

11215a. Do you remember the quantities?—No, I do not. The report is on the file in the Department at Ottawa. I sent it down.

By the Chairman :

11216a. Are you speaking of returns of liquor sold for medical purposes?—Ostensibly for medical purposes.

11217a. Did they come to you?—They came to me at that time. The parties had to make their returns to me as the Collector of the division in which the county was situated.

By Mr. Gigault :

11218a. Are you sure that the liquors obtained for medical purposes were used for beverage purposes?—That I could not say, of course.

11219a. But it looked like it?—It was a fair inference that they were simply used for drinking.

11220a. Would you favour the adoption of a general prohibitory law?—I would certainly, if we could have it in fact, and not simply in name.

11221a. But could we have it in fact, and not only in name?—I suppose we could have it if people would join heartily together ; but I do not think they would, judging from my observation. In fact, I am certain they would not. When the law was passed, they would consider that as far as they were concerned no further effort was necessary ; and that is just where the effort would be required and ought to begin.

11222a. So you think to enforce it, it would be not only necessary to have officers, but to have public opinion at the back of them?—Public co-operation, and pretty active too.

W. C. STRATTON.

11223a. Do you believe the consumption of lager beer is increasing?—I do not know as to that. I have not made any comparison; but I think I am quite safe in saying it is. It must be increasing very largely.

11224a. According to your return, I think that for the last four or five years the consumption of beer has been increasing?—I may say that that includes beer, ale and porter; they are all grouped together, We know them simply as so many gallons of malt liquor.

11225a. Your figures show that there has been an increase?—Oh, yes.

By Rev. Dr. McLeod:

11226a. Do you think that the law prohibiting distillation is a wise one?—I can hardly see why it is not. If there was not a law of that kind, we would get no revenue at all, and everybody could go into the business of distilling liquor.

11227a. You think, then, that it is a wise law, though pretty frequently and persistently violated in a certain part of your district?—Yes. I do not see that we could get along without a law of that kind.

11228a. You spoke of the storing of liquor for two years. Have you heard that that is not so much in the interest of the user of the liquor as in the interest of the large distillers, to enable them to crowd out the smaller ones and secure to themselves a monopoly of the business?—I have heard a rumour of that kind, but I had nothing to do with the making of the law, and cannot tell what is the fact.

By the Chairman:

11229a. I see that from 1882 all the way down to 1893 the quantity of malt used was very much less each year than the quantity of malt made. Where did the difference go to?—Some was exported. There is not anything like the quantity exported now that there used to be; but still some is exported.

By Rev. Dr. McLeod:

11230a. Exported where?—To Buffalo, Oswego or some others of the neighbouring American towns.

By the Chairman:

11231a. To the quantity of malt used in making malt liquors should be added the quantity used in making spirits?—Yes.

11232a. And what becomes of the difference between that and the total quantity of malt made?—It might either be on hand or exported.

11233a. It could not be on hand for a series of years. All the way through it is much less than the quantity made?—There would be some exportations, of course. On two or three occasions there were quantities destroyed by fire. For instance, there was a fire on Simcoe Street, and two fires on a wharf where malt was destroyed.

11234a. Would we be correct in concluding that the difference between the malt used in making beer and whisky and the malt made has been either destroyed by fire or exported from the country?—I could not say that. It might be removed in bond to another division; it might be removed to Kingston, or Cobourg, or Peterborough. Large quantities of malt also go to Halifax and St. John.

11235a. And the duty on it is paid here?—No, the duty is paid there.

11236a. If not too much trouble, the Commission would be glad to have you furnish them with a statement of the quantities of malt sent away?—I will make up a statement of the removals in bond and the exportations.

ELGIN SCHOFF, on being duly sworn, deposed as follows :—

By Rev. Dr. McLeod :

11237a. What is your occupation ?—I am a practising barrister in Toronto.

11238a. How long have you lived here ?—Since 1875.

11239a. Did you ever practice anywhere else ?—I had an office in connection with the early part of my practice at Georgetown, in the County of Halton.

11240a. Did you live in the County of Halton during the Canada Temperance Act period ?—I did not ; but I was employed as prosecuting solicitor there for a short time before the repeal, and in the County of Dufferin.

11241a. Perhaps you can state in a concise way your observation of the operation of the Canada Temperance Act, the difficulties in the way, and the effects of the law ?—There is a good deal of diversity of opinion about the question of the success of the Scott Act among temperance men and those that are not ; but I think the general opinion was that the failure of the Scott Act resulted largely from the disputed authority or the want of proper means of enforcing the Act, which caused it to fall into disgrace before it got into good operation.

11242a. Just what were the points in dispute at the outset that made its enforcement difficult ?—The Scott Act as it was passed first seemed not to be sufficient to cope with various difficulties that arose, and a couple of years ensued before legislation was passed in Ontario to facilitate the enforcement of the Act by the appointment of police magistrates, and the making of certain laws in that line.

11243a. Are we to understand that there was a conflict of federal and provincial authority, or was there a lack of officers to enforce the law ?—There was a lack of officers to enforce the law, and a lack of machinery, too, I think.

11244a. And how long did that state of things exist ?—The fact is, in many places the Act got into disrepute and was openly violated before it got into good shape, and the people lost confidence in it.

11245a. And it was not possible to recover what had been lost ?—I think that is the reason it was repealed ; the people thought it would not work ; but that was the result of those difficulties, and it was thought by many temperance men that if the Dominion Parliament had made further improvements in the Act in the course of time it would have been very much more successful than it was.

11246a. Notwithstanding all these difficulties did the Act have a good effect or not ?—The discussion that arose in connection with it was on the whole beneficial towards temperance and towards prohibition. It was educative.

11247a. Do you understand that the repeal of the Scott Act in various constituencies in Ontario expressed the feeling of the people as being against the prohibition of the drink traffic ?—Most decidedly not.

11248a. What was it then ?—It was a partial measure. It was not a prohibitive measure in a way, because it only aimed at the suppression of the public sale of liquor. Its manufacture was not touched, and adjoining counties had the license system. Surrounded with these difficulties it would not get the public sentiment in favour of it that it ought to get and would have got if it had been more general.

11249a. Did it make difficult at all, the sale of liquor ?—Most decidedly.

11250a. We have been told that there was quite as general a sale of liquor as under license, and some people have told us that there was a more general sale. What was your observation ?—I do not hesitate to say that I believe it was much more difficult to get liquor. Of course it was more openly violated in some places, from what I have been informed and have read.

11251a. Were you in the County of Dufferin ?—Yes, some four or six weeks just before the repeal of the Act. I prosecuted in Orangeville.

By the Chairman :

11252a. What year would that be ?—That would be about 1886.

ELGIN SCHOFF.

By Rev. Dr. McLeod :

11253a. You did not live in the county?—No, I lived here.

11254a. Did you live in the County of Halton during the time of the Scott Act?—No. I had an office there before that time, and had been doing some practice there.

11255a. Just previous to the repeal of the Act you had been conducting some prosecutions?—Yes.

11256a. Did you find any difficulty in securing convictions?—I succeeded fairly well.

11257a. Were they in Halton?—Yes, and some in Dufferin.

11258a. Did you prosecute any cases in Halton before Mr. Young, the County Police Magistrate?—Yes.

11259a. What were the chief difficulties in the way of securing convictions?—The witnesses as a general thing evaded the truth, and I believe in many cases committed perjury.

11260a. They were troubled with strange lapses of memory?—Yes, or else they were probed carefully.

11261a. Do you find that there is so general a disposition to evade the truth in other cases?—I think not. There is a different class of person in these liquor cases, most of them being either connected with the business or anxious to get drink where it is prohibited.

11262a. Were the witnesses for the most part persons who had been parties to the violations of the law?—In some way in connection with taking liquor themselves.

11263a. And you found them unwilling to admit that they had purchased?—Yes; but I found, when I showed a determination to probe their evidence carefully, that sometimes they quibbled over what they had got, and when they found that I was serious about the matter and pushed it, they generally broke up.

11264a. And told the truth?—Well, I got sufficient truth out of them to convict.

11265a. And you believe that the Canada Temperance Act, notwithstanding all these violations and the difficulties of enforcement, had the effect of educating the people along the lines of temperance and prohibition?—Yes, I believe it reduced crime.

11266a. Are there any figures that will show that?—I have heard figures quoted on the public platform, and I have also read them in the press, all going to show that there was less consumption of liquor and less crime in those districts.

11267a. Have you any such figures at your hand?—I have not saved them.

11268a. But you have that general belief?—I have that general belief, from what I saw and read, and I was a somewhat careful and extensive reader in that line, and watched matters a good deal. I am giving you my impressions.

11269a. And you think the repeal of the Act was not a protest of the people against any attempt at prohibiting the trade?—Oh, conversation with parties and everything put that beyond question in my mind,

11270a. It was an expression of the dissatisfaction of the people with a partial measure by reason of its effectiveness?—Oh, yes, that was the reason; and it is because of the partial nature of the Scott Act, the Dunkin Act and the License Act that the difficulty arises.

11271a. Have you given any attention to the effect of the drink traffic on the business interests of the country?—The impression I have is this, that it unfits individuals in many cases for pursuing their natural calling, and for making a livelihood.

11272a. Have you observed how the liquor business affects other businesses?—I cannot give a very explicit statement as to that. That is a very difficult matter to speak about.

11273a. I judge from what you have said that you are inclined to the belief that the liquor trade is responsible for a proportion at least of the crimes of the country?—Most decidedly.

11274a. And if the liquor traffic were prohibited you think the criminal record would be lessened?—Yes, and it would be economical to have it reduced, aside from the evil.

11275a. You know that we derive quite large revenues from the liquor traffic—federal revenues in the shape of customs and excise duties, and license fees in the various Provinces? Have you given attention to that side of the question?—I have my opinion on that.

11276a. What is it?—I think that would be settled all right by the powers that exist from time to time. They could adjust the finances satisfactorily in some other way. It would pay, anyway, on other grounds.

11277a. You think that if the country should relinquish the revenues derived from this trade, the country would be benefited?—Yes, in many ways. In the first place, the drink bill is a very large one. I have frequently seen it stated regarding this country and others that it exceeded the food bill, and considering the evils that flow from the excessive use of liquors, it would be very economical to turn all that drink money into food and clothing.

11278a. You think that would eventually be one of the effects?—That would be one of the effects, and a very great one.

By Judge McDonald :

11279a. What measure of prohibition would you desire to have in Canada?—So complete that prohibition would be effective.

11280a. You have made the matter a study; will you tell us what it is?—There is a diversity of opinion just how far prohibition ought to go. Some say the manufacture and sale should be totally prohibited except for medicinal and mechanical purposes. I agree with them. Perhaps I would go further.

11281a. Will you tell us how far you would go?—If it were necessary to the effectiveness of the law, I would stop all production.

11282a. Being a barrister you must at once recognize the fact that that position would not do for a man to take who is putting forward legislation. What measure would you ask in the first instance?—I think I am justified, notwithstanding what you point out, in putting it in that way, because there is a difference of opinion whether prohibition could be operated successfully without limiting private manufacture.

11283a. Would you then in the first instance be satisfied with a law that would simply prevent the importation, manufacture and sale for beverage purposes?—I do not know that I would.

11284a. Then what would you be satisfied with?—I think I would have to curtail the production of liquor at home.

11285a. You would not permit farmers to make wine and cider on their own farms?—It might be necessary to prohibit it.

11286a. Would you make the law so sweeping as to do that in the first instance?—I think I would do that.

11287a. Supposing that you, having made a study of this question, were asked tomorrow on the part of the people in favour of prohibition to frame a measure to be submitted to Parliament, and you were asked to make the measure cover such ground that it would be successful, what ground would you cover?—I would make it cover the whole ground.

11288a. That is, you would frame it so as to prevent the importation, manufacture and sale for beverage purposes, and the manufacture by individuals for these purposes?—Yes.

11289a. Would you accept from its provisions liquor for medicinal, mechanical and sacramental purposes?—Yes, if necessary.

11290a. Do you know any country in which such a law is in force?—I do not.

11291a. Have you ever read of any?—I have read of places where prohibition has prevailed, but I understand that it is not quite so ample as that. Your experience is no doubt better than mine.

11292a. We have not yet heard of any country in which such a law is in force; so that it would be an experiment?—Yes, and I would be willing to see it tried in Canada.

ELGIN SCHOFF.

11293a. In fact, I suppose you are willing that, as one gentleman put it in answer to that question, the Dominion should be the pioneer on that subject?—Yes, I would be proud of it.

11294a. In answer to Dr. McLeod, I think you said that the fact of the measures hitherto adopted having been partial was what caused them to be unsuccessful?—Yes.

11295a. I suppose you have heard of prohibition in Maine?—Yes.

11296a. You know that it has been in force forty years?—Many years, I understand.

11297a. Do you know the scope of that law?—I heard the scope of it here yesterday. I had only heard of it before as being prohibitive in a general sense.

11298a. You thought at least it was a general measure such as you advocate?—I thought so until yesterday, when I got new light.

11299a. I suppose you know, then that the father of the Maine law, after forty years trial, is not in favour of obtaining legislation to restrict the use of liquor in private families?—Yes, I heard that read yesterday.

11300a. You believe, then, that partial measures are not likely to be successful?—Certainly not, when it is right to sell liquor on one side of the road and not on the other.

11301a. That is not what you mean by a partial measure?—I mean both ways—both as to ample restrictions on the traffic and as to territory.

11302a. You spoke of Halton being surrounded by counties in which the Act was not in force, and of that being the reason why it was repealed?—I believe that was the case, although I did not quite say that.

11303a. There were whole districts in Ontario where counties were surrounded by other counties that had the act in force, and even in those counties it was repealed?—Of course it was very easy to send liquors from Toronto, and there was the right of private consumption in the Scott Act counties. All these things increased the difficulty of enforcing the Act.

11304a. We heard in Halton that during the time the Scott Act was in force the assessed value of property in the county had increased, that a person had travelled from end to end of the county to get liquor and could not get any, that in the town of Milton every house was occupied except the county jail, and that there was a state of prosperity in the county that any county might be glad to enjoy. In the face of all these things how do you account for the repeal of the law there?—Because it was so limited in territory that the manufacture and sale of liquor went on in the Province outside of the Scott Act counties, and the private individual had every opportunity to get liquor for himself. That and the legal difficulties made it a pretty bad act.

11305a. What were the legal difficulties?—My sympathies were in favour of the enforcement of the law, and I was not disposed to let any one off.

11306a. Do you mean to say other officials were willing?—I believe there were other officials who did not care to see convictions got.

11307a. In case of the enactment of a prohibitory law, you think it would be necessary to have honest officers to enforce it?—That would conduce to its enforcement.

11308a. Do you believe it is necessary also to have public sentiment behind the law?—Decidedly.

11309a. In the case of the Scott Act or any other prohibitory law, do you think there should be a very large majority in its favour to make it effective?—I think it should have a majority, and I would like to see it have a large one.

11310a. Some gentlemen have said that the Scott Act was as well observed as the law against theft. As a lawyer, perhaps you would not draw that comparison; but there is not, in regard to the law against theft and prosecutions under it, a perfect consensus of opinion in the country?—There is a great difference in the positions in which these laws stand before the public. The one against theft no reasonable man would deny the justice of; but the liquor traffic having been recognized for all time past, the money interest involved in it, the fact that many have been brought up to think the taking of liquor unobjectionable and that any one had a right to abuse himself if he wanted to—all these things make a difference; and until you sweep away that state of affairs, take away these financial interests so that they will not fight so hard, and in that and other ways strengthen public sentiment, there will be that difficulty always.

11311a. Do you notice that in prosecutions for theft there is always a private individual who seeks to have the law-breaker punished, who sets the law in motion?—I should think there would be one generally.

11312a. In prosecutions for violation of the Scott Act did you find persons who were in a position to set the law in motion?—We found plenty who would give us assistance.

11313a. Did they set the law in motion?—Sometimes.

11314a. In the same way as with other laws?—It depends on the person. Some persons were timid and would not take action.

11315a. Did you find some people who said it was not their business, but the duty of the officers of the law?—Some persons might, I do not think that I did.

11316a. In some places we are told that that was the difficulty, that people voted for the Act, and that was the end of it?—I think that is rather hard on the temperance element. In some instances they have not been as active as they should have been. They had not a moneyed interest in the work. The cost of it came out of men's pockets while in the other case the liquor man provided the money.

11317a. Have any efforts been made to bring the Scott Act into force again?—No, because the temperance people want prohibition.

11318a. You have said that the Scott Act is educational, and leading up to prohibition. When you have an Act that is educative and the difficulties in the way of enforcement swept away, why not avail yourself of that?—The people thought it would not work, and having repealed it once, it was almost impossible to revive it and make a success of it.

11319a. In reference to the question of crime, can you give us any figures in reference to the counties of Ontario?—I had recently a schedule giving year by year the number of convictions in this Province for some ten or twelve years past: but I have not it at hand. But I have noticed this, that whereas in 1874 I think there were something over six thousand licenses issued in the Province of Ontario, now there are I think, about 3,400. During this period, from what I have seen, crimes seem to have travelled in the direction of the licenses; as the licenses lessened, crimes lessened.

11320a. Have you noticed a great improvement in temperance sentiment and temperance habit as the years have gone by?—Most decidedly.

11321a. Do you believe that is going on all the time?—I do. I believe in general improvement in the world.

11322a. Do you think the churches and the temperance societies have had something to do in bringing this about?—Certainly.

11323a. Are you a member of temperance organizations?—I am.

11324a. Did you notice in counties where the Scott Act was passed that after it was passed temperance societies released their effort?—I think that follows in many cases; after a great effort there is a certain amount of laxity or relaxation for a time; but it revives again.

11325a. You think it has revived again?—Oh, yes, and it is all tending towards prohibition.

11326a. Did you find that there was a strong effort made to carry the Scott Act, and that when it was carried some temperance people believed that the end was attained, honestly believing that the benefits would follow that they had looked for in supporting the law, without further effort on their part?—I do not think temperance people generally took that position; but of course a proper amount of attention perhaps did not continue. There was a little relapse or rest.

11327a. Do you think this state of things existed at all under the Scott Act, that there would be a relaxation of the prosecutions, and the sale would become more and more open and extended; and then the temperance people becoming aroused would begin a series of prosecutions which perhaps would put the sale back again; that having taken some time and the expenditure of money, there would again be a period of relaxation; so that in that way the Scott Act prosecutions went by spurts?—Oh, I think the partial nature of the law regarding territory and the limitations of sale, was the chief difficulty in the matter, and that nothing but prohibition is thought to be a sufficient remedy by the majority of the people.

ELGIN SCHOFF.

11328a. A law that would be an experiment?—I do not think it will be now—not any more than an experiment in any new line, anyway.

11329a. You say you know of no country where such a law exists?—There has always to be a pioneer.

11330a. Then will it not have to be an experiment?—More or less, as everything new; and yet the idea of prohibition is not new with temperance men.

11331a. Do you not find a difference of opinion among temperance men regarding the extent of prohibition that they think we should have?—Yes, there is some difference, and with regard to the tariff and other political questions.

11332a. In case of the enactment of such a law as you favour, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I think they should be given time to convert their buildings into something else. They have a knowledge of the sentiment against the liquor traffic that is growing and they enter into the business or continue in it knowing that restrictive legislation may alter it or wipe it out.

11333a. To what authority would you commit the enforcement of such a law as you desire—Dominion, Provincial or municipal?—Of course all laws practically are enforced by the Provincial authorities. The Dominion Parliament passes laws, a certain class of laws, and the Provincial authorities enforce them. As a general thing, I suppose it would have to be done in that way. There might have to be some changes made for a while to make it more effective, in regard to police magistrates or something of that kind.

11334a. I believe you stated to Dr. McLeod that you thought the difficulty of the revenue would adjust itself?—It can be adjusted, I think, all right.

11335a. Speaking as a lawyer, what is the effect upon the public conscience of a law on the Statute-book which is flagrantly and constantly violated?—Speaking for myself, I would think it might better be repealed than be made a mockery, and I think that would be the feeling of all thinking people.

11336a. Were you ever at Orangeville in the County of Dufferin during the time the Scott Act was in force?—I was. I was there in a few cases and secured some convictions there, and at Shelburne and Grand Valley.

11337a. Have you reason to believe there was open sale at any time in Orangeville while the Scott Act was in force?—I dare say there was.

11338a. You only went there on professional business in connection with the enforcement of the Act?—Yes.

11339a. You could not expect to see much open sale at such a time?—No, and I was in the Court House, and I do not think they would sell it there.

By the Chairman :

11340a. I think you said in answer to a question that you would not compensate brewers and distillers and those who have their capital invested in the liquor business if a prohibitory law were passed?—Yes. I would give them time, and treat them so that as little injury as possible would be done to them.

11341a. The passage of a prohibitory law would result in completely upsetting their business at once?—I would not have the law come into force at once.

11342a. But when it came into force?—Oh, it would so far as their business existed at that date.

11343a. Do you think the people of Halton, when they voted to put in force the Scott Act, were actuated by a desire to promote temperance?—I should think so.

11344a. They discovered that they had made a mistake, if I understand your evidence correctly, and that it had not answered its purpose?—It was not satisfactory.

11345a. It did not answer the purpose they had had in view?—Not fully.

11346a. And hence they were indifferent about it and allowed the by-law to be repealed?—There came a contest, of course, in which the liquor interest used all their energies; but I believe they came out the worst in the end.

11347a. Did I not understand you to say that liquor was brought in from other districts, that it was found that the Act did not work satisfactorily and the people had abandoned it, and that the prevailing sentiment at the present time was in favour of

general prohibition?—I did not say they had abandoned it, because I do not think they had done that; but there were liquor interests in the county and surrounding it, and those campaigns came on once or twice, and all these various circumstances upset it in the end.

11348a. Did I understand you to say that one of the reasons why the by-law was repealed was that the Act had not worked to the satisfaction of those who had promoted its adoption in the first place?—On account of the Act not being successfully carried out. It gave their opponents a great opportunity to contend against it, and it weakened the minds of many, and I have no doubt that was what caused the defeat of it.

11349a. Did I understand you to say that the Act failed to a large extent owing to the facility with which people could bring in liquor from other districts?—Yes, that was one of the reasons.

11350a. Then the movement of the temperance people who advocated the adoption of the Scott Act at that time proved somewhat abortive?—Yes, there were always certain persons not very strong in their own opinion one way or the other, and the arguments that were used affected that class and changed their views.

11351a. Is it perfectly certain that such a prohibitive measure as you advocate would be successful?—I believe it can be made a success.

11352a. We must take things as they are?—Yes, taking the sentiment of this Province, particularly as it now is, I believe that if the officials are given to understand that they must discharge their whole duty in that line, it will be effective.

11353a. Is there not a possibility that it may prove a failure, and not realize the expectations of the promoters?—There is that possibility. There is the same possibility with every law.

11354a. And suppose it did prove to be so, would it be perfectly fair to destroy the manufacturers' business without compensation?—That has been done hitherto to a certain extent. When additional limitations or restrictions have been placed on the liquor traffic, some parties in the business have had to suffer a certain amount of loss. So when tariff changes are made, certain parties have to suffer to a certain extent.

11355a. Tariff changes are changes of degree. This is a proposal to wipe out business altogether?—Sometimes tariff changes do that too.

11356a. But none of the changes hitherto made in the laws relating to the liquor traffic have gone so far as to propose to wipe it out altogether?—I think if it were once wiped out, and if temperance were a success, then, all these moneyed interests connected with it being swept away, the opposition to the prohibitory law would be gone, and it would continue to grow and improve.

11357a. That is not the question. The question is in regard to wiping out the business and doing an act of injustice to those engaged in it?—I will answer that in this way. Intemperance is claimed to be and I believe is a great evil, and that evil ought to be wiped out; and if in doing that injury is done to individuals, they have to suffer.

11358a. Do you think it right to injure the business of those engaged in the traffic?—Yes, I think for the good of the community the business must give way.

11359a. Then you would make an experiment of such a law as you refer to, and in doing so you would not compensate the brewers or distillers, but let them take their chances?—Yes, I would.

11360a. And that in the face of the experiment with the Scott Act not having been successful?—There is no comparison in my mind between them at all.

11361a. Still, it was the movement of the temperance people, if I understand the situation correctly, to remedy the evils of the liquor traffic at that time?—It was all that Parliament would give them.

11362a. Did they ask for more?—They always have.

11363a. At that particular time? Did they advocate the passage of that Act?—We have always been asking for more.

11364a. It was considered that it would be a remedy?—Some may have thought so. I did not.

11365a. What was the general sentiment of the people of Halton when they voted for it?—I would not speak of that. I was not there at the time.

ELGIN SCHOFF.

11366a. What do you think it was, when they voted for it?—They thought it was some good, certainly.

11367a. You said you thought the Scott Act had lessened crime?—I said I had seen figures published, giving a statement of the crime during different years.

11368a. Will you supply this Commission with those figures?—I will see if I can supply them. I have the figures quoted: I do not know whether they were accurate or not.

11369a. You spoke of economy in expenditure as a result of the enactment of a prohibitory measure such as you have described; but I did not understand you to refer particularly to the expenditure of the Dominion, the provinces or the municipalities?—I did not speak specifically as to that; but I believe it would be economical in that line too.

11370a. Are you familiar with the amount of revenue derived from the liquor traffic by the Dominion, the provinces and the municipalities?—I know there is a large amount of revenue, several millions I believe. I do not know, but that five millions was the amount quoted.

11371a. Have you examined the returns?—I have seen them, but the figures have not remained in my mind.

11372a. I will mention to you that the Dominion gets between six and seven million dollars a year, the provinces, as near as I can get at it, about one million two or three hundred thousand, and the municipalities something additional. A prohibitory law, I suppose, would practically wipe out that revenue?—Yes, it would.

11373a. Have you thought how that revenue could be replaced in the treasuries of the Dominion, the provinces and the municipalities?—I have thought that liquor being withdrawn from the people, they would be more industrious and prosperous, and they could stand a re-adjustment of the tariff to make it up, or a more direct method of taxation if necessary.

11374a. Suppose that to be admitted, for the sake of argument, what particular commodities would you tax, or in what way would you assess the particular amount to be raised?—I would leave that to the Finance Minister for the time being. No Finance Minister hitherto has ever laid down his full tariff before going to an election.

11375a. Do you think it is usual for those who pull down an erection to see how they can re-erect it or what they can put in its place?—That is not a question which I think I should settle now. I do not think it stands in the way at present.

11376a. Do you think it would be necessary to resort to direct taxation?—Not necessarily, but I would submit to it.

11377a. Do you think the people of all the provinces would consent to wipe out all the license revenue, and put a direct tax upon themselves to make it up?—I do not know that all the provinces would, but I think the majority of the people in the provinces would.

11378a. Do you think that is the case in Quebec and British Columbia?—In British Columbia, from what I have read, I believe the people drink more liquor than in any other province. It might not be the case there. I am told that in Quebec there is a good deal of local option, and I am not afraid even of Quebec. But in this province, in Manitoba, New Brunswick, Nova Scotia and Prince Edward Island, there is, I believe, a very strong sentiment in favour of prohibition. I know there is in this province.

11379a. Have you been much in the Province of Quebec?—No.

11380a. Have you been much in British Columbia?—Never.

11381a. Would you like to say that you think the people of those provinces would vote for the cancelling of the revenue derived from the issuing of licenses, and put a direct tax upon themselves in order to raise their necessary revenue?—I am not able to say as to British Columbia.

11382a. What about Quebec?—I think Quebec is growing that way, if it has not got there already. I speak, however, more particularly of this province and Manitoba. Manitoba has already voted on the question.

11383a. What do you mean by Manitoba having voted?—Voted on the general question of the advisability of prohibition—a plebiscite, as they term it.

11384a. What was the result?—They had a majority there in favour of it.

11385a. Has the matter gone any further than that?—I cannot say what distance it has gone, but the fact is that the people have voted and shown their opinion in that line.

11386a. Has the legislature taken any steps upon that vote?—They claim that they have not the authority, I believe.

11387a. Would it be necessary for the province to do more than cancel the present license system and say that there shall be no sale?—I think it would be necessary to decide the question of jurisdiction.

11388a. Before abolishing the present system, it would be necessary for the matter to be voted on by the legislature?—If the province has the power to do it.

11389a. Would it not, under any circumstances, be necessary for the legislature to vote on the question?—The Dominion Parliament has the power, I believe, to pass a prohibitory law affecting the whole country.

11390a. Has the Dominion Parliament power, without an alteration of the British North America Act, to prevent the provinces issuing licenses?—It has power to pass a prohibitory law, and that law would over-ride the license law.

11391a. Is it your opinion that the Dominion Parliament could, without an alteration of the British North America Act, cancel the power of the provinces to issue licenses within their own boundaries?—It is not cancelling that power, but it is passing a law that in a sense does cancel it.

11392a. What would be the result if the provinces should, notwithstanding a prohibitory law enacted by the Dominion Parliament, continue to issue licenses for the sale of liquor?—I think it would be a rather rash course for a province to set itself up against the Dominion, in opposition to an Act that is declared valid. I believe it has been decided sufficiently that the Dominion has power to prohibit the manufacture and sale of liquor.

11393a. But has it the power to say that there shall be no licenses issued by the provinces?—They might issue licenses if they wished persons to keep hotels, but they could not issue licenses for them to sell intoxicating liquors.

11394a. Have you studied at all the position of the federal government of the United States on that question? Are you aware that the United States Government issues a license or imposes a tax on every vendor of intoxicating liquor throughout the whole country?—I have not studied it closely enough to make my opinion effective.

11395a. No one can sell liquor in the United States without first obtaining a license from the Federal Government, or rather paying a tax to the Federal Government. That does not authorize the sale, but the Government does not permit any one to sell without it. Reverse the case and suppose that the Dominion Government says that there shall be no sale of intoxicants, and the Provincial authorities issue licenses for the sale: would not that lead to a confused state of things and a great deal of smuggling?—We had an experience of that kind in the case of the McCarthy Act and the Crooks Act existing at the same time in this province, and that was shown to be a very ill-advised thing.

11396a. You spoke of the number of licenses issued in 1874 being about six thousand?—That is my recollection.

11397a. When did the Crooks Act come into operation?—I could not give you the date. It has been in operation many years.

11398a. Was it not the Crooks Act that brought about the very large reduction in the number of licenses issued in the province?—Yes, the Act was made available for that purpose.

11399a. I think you have not expressed any opinion as to the direction in which there would be a reduction of expenditure in case of a prohibitory measure being passed—I mean the expenditure of the Dominion and Provincial governments?—If crime is reduced, as I believe it would be, then there would be less expense in the administration of the laws in that direction.

11400a. Have you formed any opinion as to the extent of the reduction that would be brought about in that way?—That is a very difficult matter to do, there have been

ELGIN SCHOFF.

so many changes in the law and such a partial administration of the Scott Act ; but I think the general indications were in that line.

11401a. Have you made yourself at all acquainted with the total expenditure in the Dominion, the Provinces and the municipalities for jails and other institutions for the correction of criminals?—I cannot now group it together. I have of course read about these things, although they have passed out of my recollection.

11402a. Have you any idea how many millions a year it is?—No, it would be mere guess work. I am speaking off-hand.

By Judge McDonald :

11403a. You say you are willing to submit to direct taxation yourself in order to obtain such a law?—Yes.

11404a. And yet it is a law which, except for the benefit it would confer on the community generally would be of no benefit to you individually?—It would in this way. There would be less burdens placed upon me in various ways. For instance, a great deal of suffering and want is caused by drink, and necessitates charitable relief being given. That is one way.

11405a. That may affect you, I suppose, in regard to municipal taxation?—Yes, and in a private way.

11406a. And so far as jails and similar institutions are concerned, it might affect you slightly as to the province; but would it affect you in regard to the revenue of the Dominion?—Of course, there would be a loss of revenue from the liquor source, and it would have to be made up on something else. I do not know that I would be in a better position to meet that, but I would be prepared to take my chances in regard to that.

11407a. But you think you would derive an advantage from the whole benefit that would be done to the body politic?—Oh, yes; to the whole community. I think it would be far better for everybody.

By Rev. Dr. McLeod :

11408a. Has the status of the drink trade changed in the last few years?—Yes, it has improved. The habits of the people have improved,

11409a. Has the attitude of the people towards the drink trade changed?—Yes, it has improved too.

11410a. Is that due to the extension of the delegalization of the traffic?—That is a factor and a growing knowledge of the evils of the drink traffic.

11411a. Do you think that the different feeling in the public mind in regard to theft is because for generations theft has been under the ban of the law?—Yes, it has been so fully recognized as wrong that there is not the opposition or the moneyed interest to clash with the efforts to put it down that there is in the case of the liquor traffic.

11412a. If it were possible for the drink trade to be under the ban for the same length of time, would the feeling of the people be against it as fully as it is against theft now?—Undoubtedly, just as in the case of slavery. There was just as great opposition to the abolition of slavery, but the sentiment in favour of slavery is now gone. Wipe out the money interest in favour of the drink traffic, and the great obstacle is gone.

11413a. Do you think the feeling of the people towards the drink traffic would be very different from their feeling towards theft if for so long a period the drink traffic were delegalized?—I think to that degree the same, the sentiment of the people would recognize it as an evil similar to theft more or less, and they would want to see the laws against both carried out.

11414a. In speaking about the causes of the repeal of the Scott Act you stated that the early difficulties in the enforcement of the law discouraged the people, so that they became, if not antagonistic, at any rate quite hopeless about it. Was that what you meant to say?—Yes, they got the idea one way or another through those difficulties that it could not be made satisfactory, and most temperance people now have the idea that nothing but prohibition will be successful, and the sooner they get it the better.

11415a. When the Scott Act was enacted, was it what the people of the country were asking for, or was it a compromise measure?—It was the best they could get for

the time being. That has been the history of temperance legislation, it has only been partial, step by step.

11416a. Is it a fact that at that time people were petitioning Parliament for a prohibitory law, and the Scott Act was given as a compromise?—It was all that Parliament would then give.

11417a. And the people who adopted the Scott Act adopted it because it was the most advanced measure dealing with the liquor traffic that they had?—Undoubtedly. I do not admit it to be our duty to determine the question of conflicting jurisdiction as between the Federal and Provincial parliaments in regard to the liquor traffic.

11418a. Do you know whether Finance Ministers have at any time professed their readiness to grapple with the needs of the revenue in connection with a prohibitory law?—I do not know but that the present Finance Minister has given expression to pretty strong language in that line.

By the Chairman :

11419a. Do you know that he has?—That is my recollection. I am speaking from recollection. I may be wrong.

By Rev. Dr. McLeod :

11420a. I think you are correct; the *Hansard* says so at any rate. The late Sir Alexander Galt and Sir Leonard Tilley are on record to the same effect?—It would make no difference to me at any rate whether they were or not.

11421a. I suppose you recognize it as the duty of the Finance Minister and the Government to provide for the deficiency caused in the revenue by the passage of a prohibitory law?—That is what I understand they get a salary for.

By Judge McDonald :

11422a. Did I understand you to say that you believe that if for a long course of time there was a law in force against the selling of liquor, it would come to be regarded in the minds of the people in the same degree as theft?—Very closely.

11423a. You were asked if it would be in the same degree?—That is a very hard thing to say; but I believe the tendency would be in that way.

11424a. Is there not this difference; that theft is a wrong of itself without legislation, while the sale of liquor is regulated by license, but even without license it would not of itself be wrong?—The mere licensing of it does not make it any better or worse.

11425a. *Per se*, is the sale or disposal of liquor itself wrong?—On account of the injury which flows from it—the misuse, I may say.

11426a. Is not theft of itself wrong?—It is different, no doubt. I want to be fair and logical if I can.

11427a. In the one case, theft being a known wrong, a natural wrong, if I may use the term, man is against it and legislation is against it, whereas the opposition to the sale of liquor arises on account of the evils that result from it?—Yes, and the endorsement of it.

11428a. Just one question in regard to the difficulties of the Scott Act leading to its repeal. Halton did not repeal the Scott Act, I believe, on the first occasion?—I think not.

11429a. In the early days there were difficulties, you say?—Oh, there were difficulties all the time.

11430a. Halton re-enacted the law?—Once, I believe.

11431a. First enacted it, then re-enacted, and the third time?—It was wiped out.

11432a. Have you noticed that in the Maritime Provinces, where they adopted the Scott Act, they have kept it in force up to the present time?—Yes, that is the fact.

11433a. To what do you attribute that?—They did not despair quite as soon as our Ontario friends, and stuck to their guns better, I suppose. That is only an idea of mine. I cannot tell you really.

ELGIN SCHOFF.

11434a. The law is one and the same all over the Dominion?—You might as well ask me why you do one thing and I another at times. Our minds may operate in different directions; you may have one view and I another, and it is perhaps the result of education, training, habit, and various things.

By Rev. Dr. McLeod:

11435a. The social evil is wrong in itself, is it?—I suppose so. It is so regarded.

11436a. It is licensed in some places, is it not?—I have heard that it was licensed in Paris.

11437a. And in some places on this continent; which does not change the character of it, I suppose?—No.

By the Chairman:

11438a. Is it licensed in Canada?—I do not think it is licensed anywhere in Canada.

By Judge McDonald:

11439a. You look upon it as an evil of itself?—Oh, yes.

DAVID R. WILKIE, on being duly sworn, deposed as follows:—

By the Chairman:

11440a. You are the President of the Board of Trade of Toronto?—I am.

11441a. Are you connected with one of the banking institutions?—I am the cashier of the Imperial Bank of Canada.

11442a. What in your opinion is the effect of the liquor traffic on the financial, agricultural, industrial and commercial interests of the country?—My opinion is that the traffic could be very much improved to the advantage of all.

11443a. Do you mean the system of conducting it?—The system of conducting it.

11444a. As at present conducted what is your opinion?—At present it is of course conducted on very much safer principles than it was years ago; but I think improvement can still go on. I think it is injurious as at present conducted.

11445a. To all the interests referred to?—Directly or indirectly to all of them.

11446a. Would you be so kind as to tell us the grounds on which you have come to that conclusion?—The grounds upon which I have come to that conclusion are, first, the freedom with which spirits particularly are dealt in by the community at large, which is of course injurious, not only to the consumer but to the employer of the consumer and to others who are dependent upon him; and if the traffic were regulated on sharper and harder lines, it would not only go a long way to quiet the crankiness, I might call it, of a certain portion of the community on the subject of a prohibitory law, but it would benefit the country at large immensely. The directions in which I would suggest alterations to be made would be in reducing the number of licenses for the sale of liquor, increasing very largely the amount paid for a license, increasing the excise duty upon whisky and all other spirits, and the import duty as well. I think we should also do what we can to educate the people as to the effects of the use of liquor upon them, so that those who will be injured by its use will know it, and those who can take it in moderation will know it.

11447a. What is the effect of the liquor trade on financial transactions?—Where it tends to withdraw a man's attention from his business, it has a very serious effect, from a banker's point of view. A man who is indulging too freely and too frequently is not attending to his business. One difficulty after another comes upon him, until at the last, unexpectedly perhaps to himself, but not so to others, he finds himself a bankrupt. That is frequently the case.

11448a. Brewers and distillers, of course, do a large banking business?—Yes, very large.

11449a. And they purchase a good deal of material of one kind and another?—Yes. Of course the distilling business, as I have no doubt you have learned, is getting into very few hands, and the brewing business shows the same tendency.

11450a. Do you look on that as an advantage?—I do. I think the fewer there are the better; the business becomes more under control, and it is an advantage in every way.

11451a. What in your opinion would be the effect on the financial, agricultural, commercial, industrial and business interests and upon the manufacturing requirements of the Dominion, the provinces and the municipalities, of the enactment of a law prohibiting the importation, manufacture and sale, except for medicinal, mechanical and sacramental purposes, of all intoxicants?—I do not believe such a law could be enforced. We have an immense territory running for thousands of miles along the territory of a foreign nation, and it would be impossible to prevent liquor being brought in, as it was impossible in the North-west Territories during the continuance of the prohibitory law there. I think it would be still more difficult along our immense frontier. We have only recently seen the difficulty on the St. Lawrence of keeping out smugglers; and as the inducement to smuggle would be so much greater under the prohibitory law, I think it would be still more difficult to enforce the law. I am afraid it would also have the effect of increasing the number of hypocrites and perjurers. As to the benefit it would result in, if it could be carried out without injuring the moral standing of the people in these respects, I think that the man who does not look on the traffic itself as criminal would be disposed to sacrifice his own personal comfort for the sake of the community if necessary; but in my own opinion and in the opinion of others with whom I have discussed the matter frequently, I do not think it could be carried out. There is no doubt that neither the financial, the agricultural, the commercial, the industrial nor the business interests would suffer if such a law could be carried out honestly. I do not mean that there should be no discovery of perjury or fraud; but if it could be carried out in its entirety, I think these different interests would be benefited.

11452a. Would not the enactment of such a law in the first instance cause a great disturbance of financial and commercial transactions?—It would if it were brought on suddenly, it would have a very serious effect—very serious.

11453a. Suppose it to be practicable, and suppose such a law to be enacted by the Dominion Parliament, what is your view with regard to the position of the distillers and brewers? Do you think they should receive compensation for the destruction of their plant?—No, I do not. I do not see how they could claim compensation any more than any other person who is affected indirectly or even directly in a change of policy on the part of a government or a people. We know what would be the effect in this country of a complete change of tariff. The ruin from a sudden change of tariff would probably be greater than the injury from a sudden change in the liquor laws; and certainly the parties injured could not look for compensation.

11454a. Such a radical change would of course render their plant and their property to a very large extent valueless, it would not resemble the enactment of free trade at all?—It would to the holders of stocks under the high tariff.

11455a. I spoke of the brewers and distillers, those engaged in the making of liquors in this country?—A change of tariff would have the same effect on men engaged in the cotton business or the boiler and engine business or the agricultural implement business; though not so much as in the case of others, because they themselves use a considerable quantity of imported goods on which they pay duty. But a great many of the industries built up in Canada since 1878, would just as surely collapse with a sudden change of tariff. Those parties could not possibly look for compensation, and I do not see how the principle of compensation could be applied to those engaged in the liquor business any more than to those engaged in any other business. Some years ago when a change was made in the liquor laws of Ontario by which the number of tavern licenses was reduced, there was no compensation paid to the holders of licenses who had been dispossessed.

DAVID R. WILKIE.

11456a. Is not the manufacturer in a somewhat different position from the holder of a license and the occupant of a house, inasmuch as he carries on a business which has been legalized, and around which certain restrictions have been thrown by Parliament, entailing upon him large expenditures of capital at different times?—The retailer's capital is in his counters and mugs and pumps and other things just as much as the malster's capital is in his machinery.

11457a. You of course come in contact with members of the Board of Trade and the business men of the city. Do you think that you represent the opinions of any considerable number of them on this question?—I do not suppose there is anything wrong in my mentioning that at the last meeting of the Council of the Board of Trade, I interrogated each member of the Council as to his opinions, and while I am not here in the position of voicing their sentiments I did inform them as to my own views on the subject, and as to what my evidence would likely be.

11458a. Was there any objection to your giving such evidence?—None whatever.

11459a. You have been here for a number of years?—I have been in this province about twenty-six years.

11460a. In Toronto?—I have been in Toronto twenty-one years.

11461a. Do you think the present license law is reasonably well enforced in the city?—I would take away entirely the administration of the license law from partisan commissioners; I would hand it over to the Judges of the Courts—the administration of the law and the appointment of License Commissioners. During the time of the McCarthy Act we had in Ontario one set of License Commissioners of one political stripe, and the Local Legislature appointed License Commissioners of another stripe. I think, with all due respect to the authorities both Dominion and Provincial, both trying to do their duty and of course entitled to appoint their own men, that it would be much better to take the appointment out of their hands entirely and hand it over to the higher courts.

11462a. Would you have the courts nominate License Inspectors?—I would.

11463a. The judges of their volition, or upon the petition of some one?—It would be a part of their duties to appoint License Commissioners every two years or every three years as the necessities of the case might require.

11464a. You think that is a change that is desirable?—I think it is very desirable.

11465a. I referred in my question rather to the manner in which the law was administered; do you think, at the present time the law is fairly well administered?—I think it is fairly well administered, but there must always be a certain amount of favoritism as long as the business is so closely connected with the Government. I think it is impossible to administer it as well as it would be administered under the judges of the higher courts. I do not think the present law has had a fair chance in consequence.

11466a. Do you think there is an improvement in the direction of there being less drunkenness in the city than there was ten or fifteen years ago?—A great improvement.

11467a. To what do you attribute that change?—A great deal of it is owing to education, I think. The better educated classes know more now, I think, than they did formerly as to the effects of liquor; and they are more desirous of showing a good example to others. And so far as the workingman is concerned, I think he is now in receipt of higher wages than he was formerly, and he is better informed in every respect. I think there is a better feeling abroad on that subject than there was twenty years ago.

11468a. Do you attribute any of the improvement to the changes which have been made in the law from time to time?—Partly. I think the separation of the sale of liquor from the grocery shop has had a beneficial effect, and I think the reduction in the number of licenses has had a very beneficial effect.

11469a. If a further reduction should be determined upon, in what direction would you make it? Would you do away with the saloon license or would you reduce the number of tavern licenses?—I think it would be almost better to make the business a separate and distinct one from every other; so that it could be supervised better than it can when it is attached to something else. I think the hotel bars are bad in their influence. In London and other large cities the best hotels do not have bars—at least,

the quietest and most respectable do not, or they put them out of sight. Here I think they are altogether too public.

11470a. Is it your view that it would be better to increase the number of saloon licenses, and decrease the number of tavern licenses to houses that supply board and lodging?—I would reduce the number pretty severely. I fancy we have three times as many licenses as are necessary.

11471a. You think the liquor business should be separated entirely?—Separated entirely.

11472a. Would that not necessitate the change which I have just referred to—that is, increasing the number of saloon licenses and decreasing the number of tavern licenses?—Practically it would. I do not mean to say that I would prevent the sale of liquor in hotels, but I would do away with the bar.

11473a. If you continued the license to the taverns, would it be necessary to increase the number of saloon licenses?—I have not got the statistics in my mind at the moment to know how many there are of each.

11474a. There are 213 licenses in the city altogether—140 tavern, fifty shop, ten or eleven saloon, and eleven wholesale?—I have no doubt a great many of those tavern licenses are really saloon licenses. A great many are in the business merely for the sake of the saloon part of it, and I think they could very safely be reduced in number—with a higher license fee.

11475a. Would you license clubs?—I would place a club on the same footing as I would a hotel.

11476a. That is, social clubs?—Yes; but I would do what I could to prevent the issue of permits or licenses to clubs which are formed, as I believe some are, merely for the purpose of drinking. I would do away with them entirely.

11477a. You have expressed the opinion that the reduction of the number of licenses in the city of Toronto has tended to reduce intemperance. Do you know of any reason except the views of the people why other municipalities throughout the Province of Ontario should not have adopted the same course?—I think they have all over Ontario. I think they have the same power under a local act.

11478a. But while Toronto has, I think, one license to about 940 or 950 inhabitants, the province generally has one to about 500; so that the proportion of licenses must be much greater in other places. Do you know of any special reason, except that the people do not wish to do it, why the number of licenses should not be reduced elsewhere?—I have no doubt it is owing to the comparative density of population. One license here would evidently serve 900 and odd people, whereas in the country parts it would take several licenses to serve the same number.

11479a. How would it be in a city like Hamilton?—Hamilton, I should think, is on pretty much the same footing as Toronto.

11480a. And London?—I do not know so much about London, but I do not know any reason why Hamilton should have a larger number of licenses to the population than Toronto.

11481a. No reason occurs to you except the indisposition of the people?—Yes, the indisposition of the people.

By Judge McDonald:

11482a. Your bank has a good many branches or agencies in Manitoba and the North-west?—Yes.

11483a. Do you know whether the change in the law there, by which the prohibitory system was abolished and a license law adopted, has made any change in the business of the community?—I think the license law has rather improved the standing of the people up there. It was very bad before.

11484a. Have you been up there yourself?—I have been up there frequently.

11485a. You have visited the places where your bank had agencies?—Yes.

11486a. Was the prohibitory law in force when you were there?—Yes.

11487a. What was your experience of the working of it there?—I thought it was very demoralizing.

11488a. Have you been there since it was abolished?—I have.

DAVID R. WILKIE.

11489a. From your observation, which state of things do you prefer?—From what I saw up there, I certainly prefer the present condition of things. But I do not think that is either here or there in regard to a general prohibitory law. The experience there was very demoralizing.

By Rev. Dr. McLeod :

11490a. Do you know whether the permit system as it prevailed in the North-west had any effect in making the prohibition non-effective?—It did in this way, that it was very hard for a man to reconcile himself to the fact that one man who was a friend of officials, could have what he wanted, while he had to go without. I should think it would destroy the moral effect of the measure. But if I remember right, the prohibitory law there was not intended to remain after the Canadian Pacific Railway construction was finished.

11491a. Do you know whether it had any effect at all during the construction period in lessening the disorders which are incident to the sale of liquor in the neighbourhood of large public works?—I have no doubt it had, and I think it answered its purpose in that direction better than was expected. But when applied to the country after settlement I think it was demoralizing.

By Judge McDonald :

11492a. Have you had experience of the working of a prohibitory law anywhere else than in the North-west Territories? Have you been in any counties where the Scott Act was in force?—In Oxford. It had a very bad effect, I am told, particularly in Woodstock.

By Mr. Gigault :

11493a. If a general prohibitory law were enacted, depriving the Dominion of a revenue of seven millions, depriving the Provincial Governments and the municipalities of the revenue they receive from the liquor traffic, and ruining the distillers and brewers, would not such a law do a good deal of harm to the country if it were not carried out?—If it were not carried out, certainly I think it would do a great deal of injury.

11494a. Do you think we should adopt such a law only if we had the greatest certainty that it would be carried out?—The greatest certainty, and the necessary support, not of a mere majority of the people, but the sentiment of the whole people with a few exceptions; otherwise I do not think it could be carried out. It would be much better to regulate it in the meantime and let the sentiment grow in that direction. I should have mentioned that I think there should be more encouragement given to those who use liquors to use light wines in preference to stronger drinks, and that to that end light wines should be allowed to come in at a lower rate of duty.

By the Chairman :

11495a. What about malt liquor?—Malt liquors as well. I would in the meantime encourage as much as possible the use of malt liquors and light wines as substitutes for drinks that are more injurious.

11496a. Do you think that everything that tends to improve the condition of the working classes in their dwellings and elsewhere helps to promote temperance among them?—I do. If the labouring classes are made comfortable at home, they are not so disposed to rush off to the corner tavern.

11497a. What is your view with regard to parks and places of amusement for them?—I think that they add very much to their comfort and happiness, and take them away from temptation.

11498a. You consider them influences tending to sobriety?—I do, unless they are turned into beer gardens; I do not think they would be.

By Judge McDonald :

11499a. Can you say anything as to the native wine industry of Ontario?—I know something about it. It has tended to promote temperance very much indeed, I think. The native wines I believe are not injurious if used in moderation, and they are used

in great quantities. I would be very sorry to see anything done that would injure the production of native wines in favour of the importation of foreign light wines. I think it would be unfortunate if anything of that kind were done.

11500a. You think it would be better to encourage our own wine industry?—Yes.

11501a. I think you have branches in Western Ontario and on the Niagara peninsula?—We have four in the Niagara peninsula.

11502a. And you find that the business of wine making is increasing?—Very much—and the value of the land is increasing.

T. F. McMAHON, on being duly sworn, deposed as follows:—

By the Chairman :

11503a. You are a physician?—Yes.

11504a. Do you practice in the city of Toronto?—Yes.

11505a. How long have you been doing so?—About eight years.

11506a. Are you a graduate of the University here?—Yes; Toronto University.

11507a. Is yours a general practice, or have you directed your attention to any particular branch?—I am in general practice. I practiced three years in the country before coming here.

11508a. In what part of the country?—In Fergus and Arthur in the County of Wellington.

11509a. Had you the Scott Act in force there?—It passed while I was there. It had not come into force when I left.

11510a. Have you given attention to the liquor question at all?—Yes, I gave it a great deal of consideration a few years ago, at the time the Scott Act campaigns were going on through the country.

11511a. You know the terms of this Commission, I think; is there anything you desire to say to us on the subject?—I would desire to express my opinion as altogether opposed to any prohibitory legislation. I think the condition of the liquor traffic might be remedied very much. I believe that remedy would lie in another direction, however, in the encouragement of the drinking of the natural alcoholic beverages as opposed to the stronger distilled liquors, and in the passage of a good adulteration act to provide for looking after the purity of such liquors as are sold. I should be inclined to make the stronger beverages very dear, so that they would not be used to any great extent. I should like very much to see such retail establishments as we have, that is, the saloons and taverns, get a wine and beer license only, with a restriction as to the strength of the beverage they must sell. I believe that in countries where wines of natural strength are used, such as the south of France and Spain and Italy, you will find the most temperate people in the world, and an exceptionally healthy people. I believe that dyspepsia and the like are almost unknown amongst those people.

11512a. Do you say that from any experience in those countries?—No, I have not been in those countries. I believe it both from conversation with those who have been resident there and from my reading on the matter.

11513a. You have told us you are opposed to prohibition. Do you desire to make any statement of the grounds on which you found your opposition to it?—Well I do not think it is a sin to drink alcoholic beverages. I object to any person interfering with my liberty to do that which I believe I have a perfect right to do. In the second place, I believe that it would be quite impossible to enforce any prohibitory law, because the people of this country do not believe it is wrong to drink, and as long as they believe they have a right to do so I believe they will do so. I believe that in spite of prohibitive legislation liquor will be obtained, and even if it were possible to stop the manufacture and sale of it, I believe that a great many people would take to other stimulant narcotics.

DAVID R. WILKIE.

By Judge McDonald :

11514a. We were told at London by a gentleman of your profession that in the section where he practiced nearly all the persons who had drunk beer—I think he said all but one—had died of Bright's disease, whereas the men who had indulged in the stronger liquors were not affected by it, or at any rate not at all to the same extent. As a professional man, what do you say to that?—My belief is that the drinking of alcoholic beverages has very little to do with Bright's disease.

11515a. What about beer?—I make no distinction in that respect. I do not think it is an important factor in the causation of Bright's disease at all.

11516a. In your own practice have you found such a state of things to follow as that gentleman spoke of?—I have not.

11517a. Did you see the operation of the Scott Act in any county in Ontario?—To a limited extent in Halton while driving through there two or three times.

11518a. What was your experience there?—My experience was that it was very easy to get liquor.

11519a. Can you name any of the places in which you were?—Georgetown, and a little village near Georgetown called Norval.

11520a. You were not in Milton?—No. I was driving through there as a stranger, and I drank beer in both of those places.

11521a. Are you able to say that the consumption of liquor in Halton was reduced during the time of the Scott Act?—I am not in a position to say.

11522a. Can you as a professional man say whether there is any relation between the use of alcoholic drinks and insanity ; or, in other words, does the alcohol habit tend to insanity?—I think perhaps to a limited degree. I think such cases have occurred. I think, however, that the drunkenness is oftener the result of the insanity than it is the cause.

11523a. Taking the natural alcoholic liquors, as you call them, as distinguished from the distilled liquors, how may they be rated or classified as a food?—I think they have a decided food value.

11524a. Will you say in what way?—I think that a man may live with a very much smaller consumption of other foods if he takes, for instance, beer—the principal use of alcoholic liquors with a large number of people is to improve their digestion of other foods.

11525a. Have you noticed at all whether much evil is produced by what is called the treating system at the bars?—I think there is.

11526a. In case of the doing away with either the hotel or the saloon bar, which do you think it would be better to dispense with?—I should be very glad to dispense with both bars ; but if I had to choose between them I should say dispense with the saloon bar, and put the business in the hands of respectable hotel-keepers.

11527a. Would you prefer such a system as Mr. Wilkie advocated, that the public bar in hotels should be abolished, provision being simply made for people to get liquor there who wished to get it?—I think it would be a good thing to have no public bar.

11528a. Why?—Because I think it is there that the unnatural appetite is generated. I think men may use liquor in moderation for forty years and not get an unhealthy appetite for it ; but when one goes into a bar with a healthy appetite for a glass of beer and meets friends with whom he drinks perhaps three or four glasses it is there that he acquires the pernicious habit of using it as a narcotic.

11529a. Then you think that a man who is a moderate drinker does not necessarily become an intemperate man?—No more than a man who drinks a single cup of tea.

11530a. We had a witness before us who told us that he had never known the case of a moderate drinker who had not become an immoderate drinker. What has been your experience?—My experience is that I have known thousands of them.

By Rev. Dr. McLeod :

11531a. Did you receive a series of questions from the Commission some time ago?—I do not know that I did. I answered some questions, but whether it was to this Commission or some other I do not know.

11532a. Do you regard abstinence from intoxicants as compatible with the best health?—In individuals who are ideally healthy. I think a perfectly healthy man does not require alcoholic beverages.

11533a. And a man whose health is not perfect—should he use alcoholic stimulants by a physician's prescription or at his own will?—I think he is quite safe to be guided by his own individual experiences.

11534a. According to his own idea of his need?—He must be guided largely by his own experience, I think, in the use of these beverages.

11535a. Have you noticed which has the better chance of recovery in a severe illness—a total abstainer or a drinking man?—If you make the distinction between a total abstainer and one who drinks to excess, I would say the total abstainer; but if you make the distinction between the total abstainer and a man who drinks in moderation, I think the one who drinks in moderation has an equal chance, to say the least.

11536a. We find that this term moderation varies very much in its meaning?—What is moderation with one man is not with another. A moderate use of alcohol I consider to be from two to four ounces daily—not as strong drink, however, which would be like using acetic acid instead of vinegar or theine instead of tea.

11537a. Have you noticed whether the use of alcoholic liquor in moderation has a tendency to make the children of those who so use it liable to brain or nervous trouble in any degree, more than the children of abstainers?—No, I think not.

11538a. Insurance companies make a difference, I think, in regard to the habits of insurers?—Some insurance companies do, I believe.

11539a. Are you an examiner?—I examine for one Canadian insurance company.

11540a. Does that company make any difference?—Of course they will not take an immoderate drinker; but they make no difference between moderate drinkers and total abstainers.

11541a. Do they leave it to the discretion of the applicant or the examiner?—To both.

11542a. If a man declares himself to be a moderate drinker, is the examining physician supposed to make inquiries whether his drinking is moderate or to excess?—He is supposed to make examination of any special circumstances, and that would be part of the examination.

11543a. Then I suppose each examiner has to determine what moderation is?—I suppose so.

By the Chairman:

11544a. Does he determine that after he has seen the applicant?—Yes. The physician has to answer certain questions; for instance: Do you believe the applicant to be a temperate man? Do you find indications of the abuse of alcoholic beverages?

By Rev. Dr. McLeod:

11545a. You think it would be well to encourage the use of wines and beers to the exclusion of the stronger alcoholic drinks?—Yes.

11546a. Do you think that would be a sort of class legislation?—No.

11547a. For instance, you said that you thought that no man ought to interfere with your right to drink what you thought it was well for you to drink. There are a great many prefer to drink gin and whisky to beer and wine. Would it be an interference with them?—No, I think not. But the Government might so regulate matters as to encourage them to take what is best for them.

11548a. Does that not involve the principle to which you object?—I think not.

11549a. You speak of France. Have you noticed that in recent years the increase of the alcoholic habit has been very rapid and general in France?—Yes, in the north of France.

11550a. To what do you attribute that?—This has occurred not in the vine growing districts, but where wine is dear. Where wine is cheap, I believe it has not occurred.

11551a. Has it occurred to you that the use of wine has the effect on users of making them resort to whisky when wine is dear, and that therefore there is some

T. F. McMAHON.

danger in the use of wine?—No; I think there is a natural appetite under certain conditions for a stimulus, and if a man cannot get the stimulus that is good for him, he will take that which is not good for him.

11552a. You said you took some interest in this question in the Scott Act days. Were you active in those campaigns?—Not particularly, except in connection with the Liberal Temperance organization of which Goldwin Smith was the president.

11553a. You are opposed to the Scott Act?—I was opposed to the Scott Act. I had never any financial interest in the contest.

By Mr. Gigault :

11554a. Do you believe that in the compounding or dispensing of drugs you could dispense with alcohol?—No.

11555a. We have had some witnesses who have said that they would prohibit the use of alcohol even for medicinal purposes. What would be the effect of such a law?—I think it would be utterly preposterous. I as a physician do not know how I could get along without alcohol.

11556a. Can you prepare drugs without alcohol?—There are certain drugs you can.

11557a. The drugs now generally prepared with alcohol; could you prepare them without alcohol?—Some of them you could; some I believe you could not.

11558a. Do you think that alcohol is absolutely necessary for medicinal purposes?—I believe it is as absolutely necessary as any one drug. I suppose if we hadn't it, we would have to get along without it; but our patients do better under certain conditions with alcoholic beverages. I believe the use of alcohol sometimes saves life.

11559a. Do you think that insurance companies would insure the lives of moderate drinkers if they were convinced that moderate drinkers would all become drunkards?—They would not.

11560a. We had before us, I think, the agent of an insurance company who told us that moderate drinkers always became drunkards?—There are some people who hold strange views like that. I cannot agree with them at all, of course.

By Rev. Dr. McLeod :

11561a. I suppose the use of alcohol by the medical profession does not touch the question of prohibiting the drink traffic?—It depends on how far the prohibitory law would go, of course.

11562a. The prohibition of the importation, manufacture and sale for beverage purposes does not touch the question of the use for medicinal purposes?—Not necessarily.

11563a. Have you observed whether the use of alcohol by the profession in their prescriptions is increasing?—I could not say that.

11564a. How many years have you been practising?—About eleven years.

11565a. You are not able to say whether it is increasing or not?—I have not observed an increase in the use of it.

11566a. Or any decrease?—I cannot say that either. I do not think there is much change in that respect.

By Judge McDonald :

11567a. Have you reason to believe that adulteration is practised to any extent?—I have.

11568a. In what way?—I think it is a difficult matter to obtain pure wines, for instance.

11569a. How about the Canadian wines?—I think they are excellent wines, but unfortunately too often sugar is added and fermentation is carried beyond the natural amount, and we get too much alcohol in some of them.

11570a. How do they compare with foreign wines?—I am inclined to think that our Canadian wines are quite as wholesome. I have seen Canadian clarets that have done quite as well in certain cases of indigestion as foreign wines.

By Rev. Dr. McLeod :

11571a. I think you said that you regard certain of these alcoholic liquors as food?—Yes.

11572a. Is that opinion in accord with the best authorities?—I have examined a very large number of medical authorities on that subject, and I have found the opinion of the large majority to be that alcohol is a food. I think very few consider that it is not. There was a controversy in one of the old country reviews some time ago, on the subject, in which a great many of the highest medical authorities gave their opinions and that was the opinion of the large majority.

11573a. There are quite high authorities who hold the other view, are there?—There were some a few years ago, but some of them have since modified their views. Dr. Carpenter modified his views on that subject.

11574a. Take Dr. Richardson, for instance?—He is an exception. But very few men of any celebrity agree with him. Such men as Sir James Paget, Dr. James Risden Bennett, Dr. Radcliff, Dr. Austie, and a very large number of others take the opposite view.

By the Chairman :

11575a. There has been a very large increase in the number of lunatics committed to the asylums of the province. In 1868 there were 273, whereas in 1891 there were 923. Can you suggest any special cause for that great increase?—It appears to me that it is due to overwork, hard work, living at too fast a pace, and perhaps to some extent to immorality.

11576a. Is it a more general practice now to send insane people to the asylum than to keep them at home?—I think it is. I have not very accurate sources of information on that subject.

11577a. There are always a number kept among their friends; that practice was more general a few years ago than it is now, and it would of course affect the figures, but hardly to such an extent as I have mentioned?—I think there is greater confidence in the management of the insane asylums now—that they treat the patients humanely.

11578a. Do you think the liquor traffic is responsible for any considerable portion of the increase I have referred to?—Not for any considerable portion. In spite of this increase in insanity, drunkenness has very much decreased. If it is due to drunkenness, the decrease of drunkenness ought to be accompanied by a decrease in the number of cases of insanity.

By Rev. Dr. McLeod :

11579a. You come into pretty close contact with a good many families?—Yes.

11580a. Have you observed whether the drink habit and traffic have much to do with the distress and poverty you find?—A great deal; and poverty has a great deal to do with drink; one acts on the other. I think poverty is often the cause of drink, and often it is the effect.

11581a. Which is the oftener?—That would be hard to say; I have not considered the point. I think that poverty, with bad food, badly cooked, is very often the cause of drink. When a man has not been well fed and feels weak, he looks for a stimulus.

11582a. This point has been made, that if the homes were more comfortable and attractive, there would be less resort to the tavern. Have you observed whether the much resort to the taverns causes fewer comforts and less attractiveness in the homes?—I think there is no doubt about that.

11583a. Have you observed whether the multiplicity of taverns and the facilities provided in these licensed places for drinking increases drinking?—Yes, with a very large number of places for the sale of drink, I think there would be more drinking than with a limited number.

11584a. They make a trade for themselves?—They make a trade for themselves, to some extent at any rate.

The commission adjourned.

T. F. McMAHON.

TORONTO, 26th October, 1893.

The Royal Commission on the Liquor Traffic met at 10 o'clock a.m.

Present : Sir JOSEPH HICKSON, Chairman, presiding.

JUDGE McDONALD.

REV. DR. McLEOD.

MR. G. A. GIGAULT.

WILLIAM STARK, Inspector of the Detective Department, Toronto, on being duly sworn, deposed as follows :—

By the Chairman :

11585a. Are you the head of the detective department ?—Yes.

11586a. How many men have you under your direction ?—Twelve.

11587a. Are you much about in the city ?—Not a great deal myself ; my men are, more or less, the whole of the time.

11588a. Do the reports come to you ?—The reports all come to me.

11589a. Do you consider that the provisions of the present law relating to the sale of liquor, are well enforced ?—Fairly well enforced, I believe, in the city of Toronto and in other cities.

11590a. Is there much drunkenness in the city ?—There is considerable.

11591a. How long have you occupied your present position ?—I have been over six years at the head of the detective department.

11592a. Were you previously connected with the force ?—I have been connected with the force about twenty-five years.

11593a. How does the present state of matters in regard to drunkenness compare with what it was, say, fifteen years ago ?—There has been a gradual improvement.

11594a. To what do you think that is to be attributed ?—To the better enforcement of the law and the efforts of temperance societies, churches and education. There has been a gradual reduction in the number of places in which liquor is allowed to be sold.

11595a. Do you think much is due to the reduction of the number of licensed places ?—Yes.

11596a. Is there much illicit sale at the present time throughout the city ?—I do not think there is a great deal.

11597a. Do you think it is more or less than it was ten years ago ?—It is much less.

11598a. Then a reduction in the number of licensed places in which liquor is legally sold, has not led to an increase in illicit sales ?—No ; I believe not.

11599a. Do you think there is much poverty and distress in the city which is caused by the liquor traffic ?—Yes ; considerable.

11600a. Do you think a very large portion of what does exist is to be attributed to intemperance ?—I think so.

11601a. Have you formed any idea as to how much of the total you would attribute to that cause ?—No ; I could not give figures in connection with the matter ; I would not attempt it.

11602a. Have you ever lived in a county or a city where the Scott Act was in force ?—I have been more or less in the County of Halton. That is about the only county I have been in where the Scott Act was in force.

11603a. What do you think was the effect of the enforcement of the Scott Act in the County of Halton, as regards drunkenness and offences against the law ?—I have

not the statistics, but I do not know that the improvement was very marked. Liquor was to be had, I think, by those who knew how to get it, at the time the Act was in force there.

11604a. Do you think that the enforcement of the Act had the effect of reducing drunkenness?—Well, I have very serious doubts as to whether the Act was enforced. If the Act had been enforced, as it was expected it would be when it was passed, I think the improvement would have been much more marked.

11605a. You necessarily have some knowledge of what the police throughout the city are doing; do you think they are as zealous in arresting those who get intoxicated, as they were two years ago?—The policy of the department all along has been not to make arrests unnecessarily, that is, not to arrest people for drunkenness if they are capable of taking care of themselves, and not creating a disturbance.

11606a. Then we may conclude that if there is a decrease in the number of arrests for drunkenness, the decrease does not result from a change in methods by the police?—A. No.

11607a. Have you given any attention to the question of prohibition?—A. Not a great deal.

11608a. Have you formed any conclusion as to whether a prohibitory enactment would be an improvement over the present system?—I think it would. I am in favour of prohibition; I think it would be an improvement if it was enforced.

11609a. What kind of prohibition do you refer to?—Prohibition of the manufacture, importation and sale of liquor as a beverage.

11610a. Do you think that the right of a private citizen to import or to make for his own use, should be taken away?—I would not go that far.

By Judge McDonald:

11611a. Taking the class of criminals, or alleged criminals, with whom you have to deal as an officer, what do you find their habits to be as to temperance or intemperance?—What we call habitual criminals are principally drinking men, but not drunkards by any means.

11612a. They are not as a general thing total abstainers?—No; you will very seldom find a criminal who is a total abstainer.

11613a. They are generally drinking men?—Yes.

11614a. Now, what proportion of them would be men who drink to excess?—As a rule, if they continue in that life, they develop into drunkards eventually.

11615a. Do you find any difference in what would be called classes of criminals?—Do criminals work in particular lines?—As a rule they do.

11616a. One man would be a burglar and another man a forger?—Yes.

11617a. Taking criminals by classes, burglars for instance, what are their habits likely to be?—As a rule you find them drinking men.

11618a. I am speaking now as to what you would call drunkenness?—My experience of criminals is that a criminal commences his career when young, very often when a mere boy. He continues to lead a sober life for some years, but he eventually loses his grip, he gets to be well known to the authorities, he is watched wherever he may go, he is dogged from place to place; he becomes discouraged and gradually develops into a drunkard.

11619a. Do your remarks apply to other classes of criminals?—The same rule would apply.

11620a. Have you had any experience in reference to the prosecution of liquor cases, as to getting evidence?—I have not had any experience lately. Some years ago when license inspector of the town of Orillia, I had some considerable experience, and I found it an exceedingly difficult matter.

11621a. Why?—People who would be in a position to give you information were very loth to give it.

11622a. To what do you attribute that?—I think their principal reason for not wishing to be mixed up in matters of that kind, was that they were afraid their business would suffer.

WILLIAM STARK.

11623a. When you brought witnesses into court did you find that it was difficult to get satisfactory evidence from them?—Yes, if they are involuntary witnesses; if they are witnesses you have to compel to come to court, there is a difficulty.

11624a. Did you find a greater difficulty in such cases than you find in ordinary cases?—Yes, chiefly for that reason.

11625a. In other words, in other cases witnesses are more willing to give evidence than in liquor cases?—There is sometimes a difficulty in other cases too. Take, for instance, a case of larceny, burglary or murder, there is a general disposition on the part of people to keep back, they don't like to be mixed up in matters of that kind.

11626a. Is there not a disposition in cases of larceny and burglary, upon the part of persons who have been injured, to put forward testimony?—Yes, the people immediately interested.

11627a. But in the case of liquor prosecutions, I suppose there is no person who is so directly interested as to come forward voluntarily, unless it is the official himself?—No.

11628a. Now, when witnesses do come in liquor cases, what opinion did you form as to the reliability of the testimony they give?—I believe there is more perjury in connection with liquor prosecutions than in any other prosecutions in court.

11629a. Do habitual criminals, such as burglars, forgers, and men of that character, resort much to saloons and places where liquor is sold?—Yes, they do; that is generally where you find them.

11630a. In which place are you the more apt to find them, in a saloon or a hotel?—So far as Toronto is concerned, you do not find them usually either in a saloon or a hotel, for this reason: In Toronto licenses are limited to a certain number; there are always more applications for license than can be granted, and the License Commissioners are exceedingly particular as to the character of the man to whom they give a license; and if his place is known to be a resort for criminals, the chances are that he will lose his license. The License Commissioners ask the police every year for a report on the character of the different licensed places in the city, and if there is any man whose place is known to be a resort for people of that class, and if the attention of the Commissioners is called to it and the facts substantiated, then he will lose his license. So criminals get very little encouragement in these licensed places; in fact, most of the hotel and saloon keepers won't have them about their place at all.

11631a. The Chief of Police in Hamilton, in giving his testimony before the Commission, said if he got word from a distance to look after some man who was charged with such an offence, he would look after him in a hotel, not because liquor was sold in a hotel, but because, being a stranger, the man when he came to the city, would very probably go to a hotel. Now, in Toronto, the class of which you speak, who are not allowed in hotels, must be local criminals I suppose?—Yes.

11632a. Well, how in regard to strangers who would come in?—That would apply to absconders, men wanted for embezzlement or forgery, men who have been respectable where they have lived, but who have perhaps stolen the moneys of their employes, embezzled funds, or committed forgeries, or something of that kind, and have cleared away, you would be likely to find these people about the leading hotels, and under assumed names, possibly. But we would not look for an ordinary thief or burglar in our leading hotels.

11633a. Would these men know what resorts to go to when they got to the city?—Yes, there is a sort of fraternity amongst them. For instance, one of that class going from here to Chicago, knows before he leaves here just exactly where he is going.

11634a. He finds out men of his own kind and stays with them?—Yes. For instance, take the thieving class in Buffalo, Detroit, Chicago and those places who come to Toronto, they know just where they are going to before they start out.

11635a. Now, if you got word with reference to a man of that kind from Chicago, Detroit or Buffalo, in what kind of a place would you look for him in Toronto?—I would look for him among people of his own class, and I would expect to find him about the low dives and resorts for that class of people.

11636a. And that class of people in Toronto do not get licenses?—No.

11637a. How do you find the license places in Toronto compare with those in other cities that you have known?—First class, I say that the hotel people of Toronto as a class will compare favourably with the hotel-keepers in any other city on this continent.

11638a. I understood you to say in answer to the Chairman that you would favour a prohibitory law if it were enforced?—Yes.

11639a. What is your opinion as to the capability of the successful enforcement of such a law?—I do not think it would be enforced under the existing circumstances.

11640a. What are the existing circumstances?—Outside of cities where expensive police forces are maintained, there is nobody to enforce it.

11641a. You think it would require a strong force of men to enforce that law throughout the country?—I think it would only be successfully enforced through a Provincial Police Force, a constabulary force organized somewhat on the principle of the Irish Constabulary. Those entrusted with the enforcement of laws in country places are business men for instance, the village constable or the license inspector—is a business man, as a rule, in the place where he lives, and is mixed up with the people of the village in business relations and family relationship; and you cannot get him to enforce such a law unless he is compelled to.

11642a. You have said that the illicit traffic in Toronto has been brought down to a very small compass?—Yes.

11643a. In case of the enactment of a prohibitory law, do you believe there would be more places selling liquor illicitly than are now selling legally?—I think not so far as Toronto is concerned.

11644a. You think the police force in Toronto would be able to cope with it?—I think so, I am satisfied they would.

11645a. Are you able to tell us whether as a general thing the illicit sale of liquor takes place in houses of ill-fame, and questionable places of that kind?—Yes, they all sell liquor more or less.

By Rev. Dr. McLeod:

11646a. Does the police force find it necessary to watch the illicit sale very carefully in order to prevent its growth?—They have to be constantly on the alert. There is no doubt it would grow if they were not.

11647a. But the police force succeeds in keeping it within very small limits?—Yes.

11648a. How many illicit places do you suppose there are in this city?—I would not like to say, I could not form an estimate.

11649a. What is your impression as to the illicit sale by licensees, I mean the sale during prohibited hours?—It does not exist to any extent, there may be a little. An hotel man must know his customers very well before he will give them liquor on Sunday.

11650a. He does not take any risk?—No.

11651a. If he knows his man he does not particularly regard the law?—We have evidence of that in the small number of arrests on Sundays. Take the police court calendar on Monday morning; the number of drunks who have been arrested after the hour of closing on Saturday night, is very small.

11652a. I think you said that the arrests for drunkenness do not include all the drunks who are on the streets, but only those who are disorderly, or incapable?—That is all. But very often a policeman may come across a man on the streets who is perhaps able to go along, but the officer may know that he has money about him and there is danger of his falling into the hands of thieves; and so for his own protection and the protection of his property, he is arrested.

11653a. Do you know whether all those who have hotel licenses are really hotels, or whether a good many of them appear to be hotels, but their chief business is the liquor business?—I believe there are quite a number that are really not hotels but are purely drinking places.

11654a. They comply with the conditions of the law as far as necessary to get a license?—Yes, they do not pretend to accommodate travellers.

11655a. Does the drink trade have to do with much of the crime that comes under your notice?—It has a great deal to do with the lesser crimes, for instance, street brawls

WILLIAM STARK.

and assaults, wife beating, and such as that ; but for the more serious crimes I do not think it is responsible to the extent that many people suppose.

11656a. Still I think you said that criminals as a class are men who patronize the drink trade?—Yes, they are all drinking men more or less.

11657a. Do you find that the lessening of the number of places for the sale of liquor has anything to do with the decrease in drunkenness that you mentioned?—Yes, there is no doubt about it.

11658a. If there were an increase in the number of licenses here, you would expect an increase of drunkenness?—Yes.

11659a. So that providing facilities for getting drink results in increased drinking and drunkenness?—In my judgment, drunkenness increases with the increased facilities for obtaining liquor, there is no doubt about it.

11660a. So far as the trade can be restricted in that way, you believe the effects of the drink trade are lessened?—Yes, in so far as the trade is restricted by lessening the number of licenses, the effects of drinking are lessened.

11661a. You spoke about involuntary witnesses giving unreliable evidence in liquor cases ; do you find that involuntary witnesses in other cases are disposed to evade the facts?—Some are, but many are not.

11662a. You think there is a larger proportion of crooked swearing in liquor cases than in other cases?—Yes, that is my experience.

11663a. Do you account for that on the ground that witnesses who are given to the evasion are parties to the violation of the law?—No, but there seems to exist a feeling in the minds of some people, that in liquor prosecutions there is no harm in swearing to almost anything. I do not know why it is so, but that seems to be the case.

11664a. Do you find that to be the case amongst men who are otherwise reputable?—Well, I have often been surprised to hear them give evidence.

11665a. But the larger proportion of those who make these strange statements are men from whom you would not expect a great deal?—A large proportion belong to the class that are in that line of business, the illicit dealer and his companions.

11666a. Have you given any attention to the effects of the drink trade upon business and industrial interests?—No, I have not.

11667a. Have you considered its effects upon the social conditions?—Yes.

11668a. I think you said that it is responsible for a good deal of poverty?—I think so.

11669a. Just what are the duties of the twelve men who are under your control?—The prevention and detection of crime generally.

11670a. Crime of all kinds?—Yes.

11671a. But particularly the graver crimes?—Yes.

11672a. And in that business the men are under your control and direction?—They are under my immediate direction.

By Mr. Gigault :

11673a. Do you think the license law is pretty well observed on Sundays in Toronto?—Yes.

11674a. You said there was an illicit sale of liquors in houses of prostitution?—Yes.

11675a. Have you any houses of prostitution in Toronto?—Yes ; I would not like to say we have none.

11676a. Then the police has not succeeded in suppressing them?—Not altogether, They succeed in keeping them within reasonable bounds, I think.

11677a. If we had prohibition, do you believe a great deal of liquor would be smuggled in?—There would be more or less. I do not think that any law can be made absolutely prohibitory. Take, for instance, the law against murder, the law against theft, they are being violated every day. I have no doubt that if we had a prohibitory law there would be smuggling, and perhaps an illicit distillation, and illicit sale, too, to a certain extent.

11678a. I think you said you did not believe that prohibition could be enforced?—I said under existing circumstances. Provisions would have to be made for the enforcement of it.

11679a. Do you believe a prohibitory law would be violated more frequently than the criminal laws?—I would not say that, I would not go that far.

11680a. Do you believe that people look upon the act of taking liquor, as being as reprehensible as theft and murder?—Perhaps some do, the great majority of people do not. Most temperance people look upon drinking liquor as a crime in itself. I do not go that far.

11681a. Have you been in any country where a prohibitory law is in force?—I have not.

11682a. Do you believe that the Scott Act was not violated oftener than the law against theft or murder?—Yes, but as I said before, I do not think the Scott Act had what you might call a fair trial in any county in which it was passed, because there was really no person to enforce it. The enforcement was left to local men who were so tied up by local interests, and family relationships and that sort of thing, that they were not in a position to enforce it.

11683a. But if public opinion had been strongly in favour of prohibition, why did they not ask the authorities to appoint competent officers to enforce the law?—I think when the public passed the law and succeeded in getting it on the Statute-book, they considered their duty was done, and that the enforcement of the law was a matter for the law officers.

11684a. Don't you think it is ridiculous to enact a law and not to see to its enforcement?—Certainly it is, but I do not think the responsibility in that case would rest with the community who passed the law, I think the responsibility rests with the authorities who failed to carry it out. When once a law is placed upon the Statute-book, it is my duty as an officer of the law, no matter whether that law meets with my approval or not, to enforce it while it is there. I have no right to question the wisdom of placing it there.

By the Chairman :

11685a. Whose duty was it to enforce the law under the Scott Act?—It was left, as I understand, largely to the local officers of the different municipalities.

11686a. And were the municipalities unwilling to incur the expense of enforcing the law?—You find the municipalities unwilling to incur any expense, as a rule.

11687a. But is it your opinion that they were unwilling to incur the expense of enforcing the law?—Perhaps they were not unwilling altogether; but sometimes the municipal officers and members of municipal councils are under obligations to the liquor interest for the votes, perhaps, that placed them in their position. Now, there is a case that is brought to trial. Money is required to push the prosecution, and the question comes up, is the municipality going to vote that money? A majority of the municipal council, perhaps, may personally be willing to vote that money, yet they are afraid to show their hand for fear it will affect them afterwards.

11688a. Then on the whole they are unwilling to incur the expense of enforcing the law. If the municipal council represented the will of the people, and if they did not incur the necessary expense, would we not be justified in concluding that they were unwilling to incur that expense for the purpose of enforcing the Scott Act?—Perhaps they were not so unwilling to incur expense as to incur the displeasure of parties who are on the other side of the question. For instance, I have given you my experience in the matter when I was License Inspector in Orillia. Prosecutions were instituted in several cases, and I failed to prove them, the cases were dismissed with costs and the costs came out of my own pocket. In other cases where a conviction was secured, it was carried from court to court. The municipal council, or a majority of them, were willing enough to vote money to carry that matter through the different courts, but they did not want to incur the displeasure of the whole liquor interest. The consequence was that outside parties had to subscribe money to carry the matter through the different courts.

11689a. Then they were willing enough to vote for the Scott Act, but not willing to enforce it themselves?—For that reason, the fear of the liquor interest.

11690a. They desired to see the law enforced, but they were unwilling to incur the expenses?—They were willing enough to incur the expense, but they seemed to say: "It is your duty to enforce the law and not ours."

WILLIAM STARK.

11691a. Whose duty?—The License Inspector's, the local officers.

11692a. I understand you to say it was the duty of the municipalities to enforce the law?—Yes, the local officers.

11693a. But they did not enforce it?—They did so far as they could.

11694a. But in the case you have just stated it does not seem to have been a lack of ability but a lack of disposition?—When you institute proceedings with a view to enforcing the liquor law, you are not only striking the individual against whom you are proceeding, but you are striking against the whole trade, because the trade, as a rule, are organized and stand at each other's back; and you have to fight the liquor interest of the whole community.

11695a. And the municipal authorities were unwilling to do that?—In so far as my experience went, they were willing to do that had it not been for the pressure that was brought to bear upon them by the liquor interest. As soon as a case is appealed to another court and application is made to the municipality for money to carry it on, the liquor men go to the different members of the council and say, "Now, you have no right to vote money for this purpose, and if you do, you will see the result when election day comes round."

11696a. The result was that the municipal authorities were unwilling to proceed?—They were not unwilling.

11697a. Why did they not proceed?—Simply because they were intimidated.

11698a. Then they were unwilling to proceed in face of the intimidation?—In face of the intimidation, yes.

By Mr. Gigault:

11699a. Is it for that reason that you come to the conclusion that a general prohibitory law could not be enforced?—A prohibitory law can never be enforced when the enforcement is entrusted to men, as I have said, who are bound up in social and business relationships with the general community. For instance, take a village or a town, where the chief constable is perhaps, a mechanic of some kind. He has business relations with people in the village, and you cannot expect a man in that position to incur the odium of enforcing the law.

11700a. In the North-west they had a prohibitory law and they had a Mounted Police to enforce it, but according to the evidence which has been given by a good many witnesses, the prohibitory law was not enforced there. Do you not think that the Mounted Police were fit men to enforce such a law, seeing that they were strangers and had no relation or friends there?—If the question with the police was how not to do it, then the enforcement of the law would be a failure; but if the police were in sufficient number and approached the matter with a sincere and honest desire to enforce the law, then I see no reason why it should not be enforced. But if the question with them was how not to do it, then I can quite understand the failure.

11701a. How do you account for the fact that it was not enforced?—That is the only conclusion I can come to, that the authorities were not sincere in their desire to enforce it. I have never been in the North-west myself.

11702a. Do you not think that when the authorities, who are themselves responsible to the electors, do not do their duty, when they do not do what the majority of the electors desire, they should be dismissed and replaced?—My experience in enforcing the law is that the further you can have the officials entrusted with its enforcement, removed from the electors, the better for the enforcement of the law.

11703a. Then do you not think that if the electors really wanted the prohibitory law to be enforced, they would have compelled the authorities to do so?—They might not. The electors, as a rule, are business men who have their own affairs to attend to. When they put the law upon the Statute-book they consider their duty is done. They say then, we have officials whose duty it is to enforce the law; we have our business to attend to, we have done our duty, now let the authorities do theirs.

11704a. Do you think the electors would support a government who would not punish murder, theft and other crimes?—There are a great many crimes that are never punished. I do not think 50 per cent of the crime committed is ever punished.

11705a. Can you give a direct answer to my question—do you think the electors would support a government who would not punish crime?—Well, the government might go a good way before they would be called to account by the electors. With the great mass of the electors, it takes considerable to overcome their political leaning.

By Rev. Dr. McLeod:

11706. You think it was a mistake to leave the enforcement of the Canada Temperance Act to the municipal and local officers?—Yes.

11707a. Do you think the observance of the Sunday provisions and other prohibitions of the license law in Toronto, is attributable in any degree to the faithfulness of your officers?—To some extent, and there is another reason. As I have already said, the competition for licenses here is so strong that men in the business feel that they cannot afford to take any chances, they cannot afford to have the idea get abroad that their place is run in a loose fashion.

11708a. But if the police authorities were less faithful, you think there would be a looser observance of the law?—Certainly.

11709a. Do we understand you to believe that with proper officials a general prohibitory law is enforceable?—I think it is.

By Judge McDonald:

11710a. We have been in a number of places, both in the United States and Canada, where prohibitory enactments have not been carried out, but in those places the police have sworn that they did their utmost to carry out those laws, and they found that that particular law could not be enforced. Now, assuming that that evidence is true, how would it affect your opinion as to the enforcement of the law?—It does not affect my opinion at all.

11711a. You think these men must have been mistaken in thinking they did their utmost?—I would have serious doubts. If they were sufficiently strong in numbers I should be inclined to doubt the sincerity of their efforts.

11712a. So they may have done the best they could, but there may not have been enough of them to carry out the law?—Yes, that might be.

11713a. In the villages and country districts where they have rural constables, is there a difficulty in enforcing ordinary criminal laws?—Yes.

11714a. In what way?—For instance, a crime is committed in a village or town. There is a constable, he may be a constable for the county. He is not a salaried officer at all, he is paid by fees. He is perhaps a working man, a shoemaker, a blacksmith or carpenter. Possibly murder is committed. He leaves his work and starts out in pursuit of the murderer. May be he follows him over the country for a week or a month, and does not succeed in arresting him. He comes back to his work, and he gets nothing for his efforts.

11715a. Very well. Now, he makes that effort and the community is at his back in doing it, that is, they wish him to succeed?—So far as their good wishes are concerned, he is all right.

11716a. Now, do you find that the man who leaves his work and goes off to find offenders against the liquor law has the good wishes of the people with him to the same extent?—I do not think he has.

11717a. Do you think he has behind him any assistance on the part of the community that amounts to anything?—No; what he has behind him is perhaps the sympathy of those who are in favour of the enforcement of the law. They find the law is being flagrantly violated. They say to him, you are the constable; it is your duty to see that the law is enforced. If you do not attend to the matter we will have to attend to you. Perhaps he starts out, but all the while it may be a question with him of how not to do it. Perhaps the officer himself is out of sympathy with the movement. He may be interested in the business; possibly his relatives are interested in the business.

11718a. Now, does a prohibitory law, and the enforcement of it, stand upon a different basis entirely from the criminal laws of the country in regard to the sentiment of the people towards those laws?—I think if the whole matter of the enforcement of the law were in the hands of a properly organized police, the general public would view

WILLIAM STARK.

ROBERT DAVIES, Brewer, Toronto, on being duly sworn, deposed as follows:—

By Judge McDonald :

11744a. What is the name of your firm?—The Dominion Brewing Company. It is an incorporated company.

11745a. How long has that business been carried on?—Since 1878.

11746a. Was it then under the same name?—No.

11747a. What was the name when business was first instituted?—Robert Davies.

11748a. Have there been other changes since then?—There have only been the two names. The present name is The Dominion Brewing Co., Limited.

11749a. What liquors are manufactured by that company?—Ale and porter.

11750a. Do you manufacture lager beer?—No. We did at one time, but we do not at present.

11751a. Do you send travellers out?—Yes.

11752a. Over what extent of country is the business carried on?—From Vancouver to Quebec.

11753a. How long have you carried on the business outside the Province of Ontario?—For the last ten years.

11754a. Your business was in operation at the time the Scott Act was in force in many of the counties of Ontario?—Yes.

11755a. Can you tell us whether your business was affected by the fact of the Scott Act being in force, as to the quantity of your liquors that you sold?—When the Scott Act came into force we were doing a draught ale business, in wood, principally; but when that Act came into force it changed the whole shape of our business.

11756a. In what way?—We could not ship our goods into the country because everybody would see it, and the orders would come in for them to be delivered in bottles, in flour barrels, in packages without any labels on. During the time I was in a small business up town here, the business kept increasing and we had to make more improvements. Before doing so, having heard a good deal about the Scott Act and its effects, and all that sort of thing, I thought it not wise to spend a great deal of money until I ascertained the facts all over the country. I travelled for two or three months, from Maine, down in the east, to Vancouver, and I became satisfied in my own mind that the people were not sincere and honest in the business, and when I got home I built a new place, with the result that it has been running ever since. We are now doing a large bottling business.

By the Chairman :

11757a. What year was that in?—That was in 1878.

By Judge McDonald :

11758a. At the time the Scott Act was first made a Statute?—When it was in force in all the counties.

11759a. Was it not at a later date than 1878? The Scott Act was passed in 1878 by the Dominion Parliament?—It was since then.

11760a. Have you continued the bottling business since on the same license?—Yes.

11761a. You got into a line of business which you have continued?—Yes.

11762a. Did the orders that you got during the Scott Act period, come mostly from dealers, or did you get them from individuals?—Private individuals and dealers.

11763a. From private individuals for home consumption?—For home consumption.

11764a. What quantity would generally be sent out in such cases?—Bottles in barrels.

11765a. How many bottles go into those barrels?—Four or five dozen in a barrel.

11766a. Would the barrels look like flour barrels?—They were.

11767a. Headed up regularly?—Yes.

11768a. And simply addressed as any package might be?—Just to John Smith or the party to whom intended.

11769a. Did your output increase during that time?—Yes.

11770a. Have you the figures with you?—Yes, I will read the figures to you:—

Year.	Imp. Galls.
1882.....	700,000
1883.....	718,000
1884.....	713,600
1885.....	660,000
1886.....	740,000
1887.....	930,000
1888.....	1,190,000
1889.....	1,369,000
1890.....	1,193,000
1891.....	1,200,000
1892.....	1,147,000

11771a. In what year was the change made in the name of the firm?—I am under the impression it was 1889.

11772a. Was more capital put in then?—No.

11773a. Were steps taken to enlarge the business itself?—Yes, when the company took it over, the stock was capitalized for \$1,200,000.

11774a. Taking the breweries of Ontario how does yours rank in the amount of business done?—I could hardly tell you that.

11775a. Are there others that have as large an output?—Yes.

By the Chairman :

11776a. Are you not one of the largest?—I am one of the largest. I do not know what output the others have.

By Judge McDonald :

11777a. Can you tell us whether there are many other breweries in Toronto?—Yes.

11778a. How many do you know of?—There is our own, Reinhardt's, O'Keefe's, Cosgrove's, the Ontario, a small one by the name of Ball, and the Toronto Brewing Co.

11779a. What kinds of grain are used by you?—All barley.

11780a. Is the barley of Canadian growth?—Yes.

11781a. And has been throughout all these years?—Yes.

11782a. Have you any figures as to the barley which you use?—We have used in the Dominion Brewery, from 1882 to 1892, 700,000 bushels, for which we paid \$204,000.

11783a. How about the malt?—We make our own malt altogether.

11784a. Then you pay duty to the Government?—Yes.

11785a. What duty have you paid to the Government during the ten years?—I have not got that here. We pay 2 cents a pound. We pay about \$150 a day.

11786a. How many hands do you employ?—120 the year round.

By the Chairman :

11787a. When you say \$150, do you mean that amount of malt duty?—Yes.

11788a. Is there any duty on the ale or beer?—No; it is all on malt.

By Judge McDonald :

11789a. Can you tell us what the wages of these men come to yearly, in round figures?—\$80,000 a year.

11790a. You use hops, I suppose?—Yes.

11791a. Are the hops raised in Canada?—Mostly Canadian.

11792a. What was the value of the hops for the whole period?—About \$100,000 for the whole period.

11793a. Do you buy your bottles?—Yes; we have no bottle manufactory.

11794a. Do you carry on any business in wood at all?—Yes; largely in wood.

11795a. You make your own barrels or kegs?—Yes; we have several coopers working all the time.

ROBERT DAVIES.

11796a. Do you buy the wood that is used for these packages?—The cooper buys the wood. He buys the oak and dries it, and makes it into wood.

By the Chairman :

11797a. Where does it come from principally?—About Chatham, London and Petrolia.

By Judge McDonald :

11798a. I think you made lager at one time?—A. Yes.

11799a. Was there any particular reason for giving up the manufacture of lager?—A. The business did not seem to increase to my satisfaction, and the desire was for beer at that time.

11800a. Is it not a fact that there are a good many lager breweries now throughout the country?—A. Yes.

11801a. May that have had some effect, do you think?—A. It is more troublesome, and I found that we had quite business enough without that.

11802a. Were you a supporter of the Scott Act?—Of course you had no opportunity here in the city as an elector, but I mean, did you favor the measure?—A. No.

11803a. We have found in other sections of the country brewers whose output increased during the Scott Act period, yet who opposed it when it was introduced, and favoured its repeal, and they gave us their reasons. Can you tell us what your reasons were for not favouring the Scott Act?—A. Well, when the Scott Act came into force we had but a few small breweries in the country, and since that time they have all been reopened. We find great difficulty in having to compete with so many people outside in a small way.

11804a. Still, your output appears to have increased from year to year?—A. Yes, it has from the time we started.

11805a. Yet these small men were also in business?—Yes.

11806a. I may tell you that one of these men, Mr. Labatt, of Brockville, told us that he attributed the increase of his business partly to the fact that where the Scott Act was in force the tavern-keepers, being afraid to risk putting in a large quantity, instead of dealing with western brewers, bought small stock from him? There were small brewers all over the country.

11807a. Your business still increased, though. Do you think the Scott Act had any effect upon it one way or the other?—No, there was just a steady increase.

11808a. Did you have any difficulty in making collections from people in counties in which the Scott Act was in force?—No.

11809a. The people did not repudiate their liability for the purchases?—No.

11810a. Of course, you were not selling from a Scott Act district?—No, and that made a difference, we were in a better position in that way. When we got orders in the city we were within the limits of the law.

11811a. In case a prohibitory law were enacted, prohibiting the manufacture of ale and porter in the Dominion, would you have plant and machinery which would be rendered useless?—We would.

11812a. And buildings rendered useless?—Well, useless for certain things; but we would have certain machinery that would be entirely useless. We have casks worth over \$100,000 that would be rendered useless.

11813a. Have you made an estimate of what your loss would be by the depreciation in the value of your property?—No, I have not.

11814a. What do you say as to the barrels?—The barrels would become useless. We have invested in barrels from \$100,000 to \$125,000, the wood work alone.

11815a. Have you had any experience in the working of a prohibitory law?—Nothing more than my visit through the country.

11816a. Did you visit the counties in which the Scott Act was in force?—Yes.

11817a. Name some of them?—York, all over this country here.

11818a. York had the Dunkin Act, I think?—I visited Halton.

11819a. How did you find things in Halton?—Well, we sold more beer in the county of Halton during that time than ever we have since.

11820a. Was any of it sold to dealers?—Some to dealers, some to druggists, and some to private individuals.

11821a. To what do you attribute the increased sale of your ale in Halton?—I cannot account for it in any other way than this, that when you tell a man he shall not have something, the desire to have it seems to grow stronger.

11822a. Did you visit any other county than Halton?—I could scarcely say.

11823a. Had you personal observance of the working of the law in those counties from being in them?—Yes, I was familiar with it.

11824a. What did you see?—I was there when they were trying to work the repeal of the Scott Act in Halton, and any one who wanted liquor could get it. There was no difficulty about it.

11825a. Did you yourself take part in the contest in Halton?—I went up to see it.

11826a. To obtain the repeal of the Act?—Yes.

11827a. Your own sales had increased in the county?—Well, I was opposed to the Act upon general principles. It was not what business I made out of it, but it was for general principle.

11828a. Taking your experience of the working of that law, and your experience of the license law which we have now in Ontario, which do you think is preferable?—A license law. Having heard some of the evidence this morning with regard to illicit houses in Toronto, I want to say that I have not sold any beer to an illicit house for the last ten years; I would not sell to them for the reason that they buy mostly whisky that can be carried in bottles, or something of that kind. I have not sold any to any unlicensed house nor to any man whom I supposed would sell it in an unlicensed house. Whatever liquor these parties got, they did not get it from the breweries.

11829a. Do you believe from your knowledge of the trade in Toronto, that the licensed houses try to prevent the illicit sale?—I do. I have heard several complaints from licensed dealers. When a hotel-keeper near by has complained to me, I would say, report him to the Commissioner. You have it all in your own hands. There is no use in stopping here and seeing the man selling next door to you, knowing he is violating law. Inform the Inspector.

11830a. In some sections we have been told that it was the licensed men in the traffic who actually supplied the liquor to men for unlicensed sale in their own community. Have you known of such cases?—I think you might find that among the stores, not among the hotels.

11831a. But these were hotel-keepers?—That would be in the country, probably.

11832a. Have you known any such cases?—No.

By Rev. Dr. McLeod:

11833a. You say the Scott Act increased your business in Halton county?—We had a general increase.

11834a. In what year did you build the new place?—In 1887, I think.

11835a. I think you said you found it a little difficult to ship into a county under the Scott Act?—In large draught packages, we did.

11836a. What you did ship you had to send under cover, in flour barrels?—No; we ship in the same way to-day.

11837a. Don't you ship kegs and barrels now?—That is what we call draught cases, large puncheons.

11838a. Do the cases and the barrels indicate their contents now?—Yes.

11839a. But then they did not?—We use the cases, the same barrels.

11840a. I think you said something about flour barrels?—We buy them here flour barrels and sugar barrels.

11841a. Do you ship that way now?—We ship that way now.

11842a. Without anything to indicate the contents?—At the time of the Scott Act we did not have anything to indicate our trade marks at all. Now, our trade mark is on the barrels.

ROBERT DAVIES.

11843a. Was it necessary at that time to avoid putting a trade mark on the barrel—It was just as well not to let the general public know.

11844a. Then in that way the law did have some effect on your business; it made it secret, did it not?—It did not affect us in the output.

11845a. But still it affected the manner in which you shipped into those places?—It might affect the label on the barrels.

11846a. What was the reason for that difference?—Well, it was not well to tell everybody what somebody else was doing.

11847a. But now you regard it as well to tell everybody.—We are getting the benefit of the advertisement now.

11848a. You did not get that benefit then?—No; not then.

11849a. Are we to understand that any large amount of your business began with the Scott Act?—It was growing while the Scott Act was in force. We were placing our product in a large number of counties here, and we have had no serious difference in our business.

11850a. I notice from 1882 down to 1886, there was practically no increase. In 1885, the output was the smallest of any year, only 660,000 gallons.—In 1886 there was a little difference, when the grippe epidemic came on.

11851a. They drank less beer then?—They drank more whisky.

11852a. I suppose you hope the grippe will not come again?—No; not in our line.

11853a. Notwithstanding that your business increased steadily, you favoured the repeal of the Scott Act?—Yes.

11854a. And you made some effort in that direction?—Yes.

11855a. Now, can you tell us why?—On general principles. I did not believe in legislation of that kind.

11856a. But if the legislation did not interfere with your business, but rather increased it?—There is always a certain amount of honour at stake in doing business. If the Scott Act was not there, it would be more pleasant to do business.

11857a. Your opposition to the Scott Act, I suppose, was quite disinterested; it was purely on principle?—That is all.

11858a. And your opposition to prohibition would be as disinterested, I suppose?—[No answer.]

By Mr. Gigault :

11859a. Could you give us in round figures the valuation of your establishment and plant?—Our capital stock is \$1,360,000, and the whole is invested.

By the Chairman :

11860a. Have you a bonded debt or mortgage?—No, we have the three stocks, we have the debenture stock, the preference stock, and the ordinary stock.

11861a. Can you tell me in what years there was the largest number of counties under the Scott Act?—I could not tell you from memory.

11862a. I think you said you went to Maine?—Yes.

11863a. To what place did you go?—I went to Portland.

11864a. Did you go to Bangor?—I came through there.

11865a. What did you ascertain in Bangor?—I had no trouble in getting anything I asked for.

11866a. Was there open sale in that town?—Open sale.

11867a. At what hotel did you stop in Portland?—I forget. It was a large hotel.

11868a. Was it the Falmouth?—It was a large hotel in the city.

11869a. Or the United States?—I could not tell you. I went out to Orchard Beach and stopped there. Everybody seemed to have all the whisky they required. It did not seem to make any difference to them.

By Mr. Gigault :

11870a. Do you remember the name of the hotel where you stopped in Bangor ?—
[do not.

11871a. Did you go to Lewiston ?—I could not tell you now.

11872a. Can you give me the price which you paid for the barley which you bought
for making malt ?—I am now paying 45 cents.

11873a. Last year what was the average price ?—About 46.

By the Chairman :

11874a. You say all your barley was purchased in Canada ?—Yes, within 20 or
30 miles.

11875a. What would be the effect of the discontinuance of the use of barley for
malting purposes, upon the farming or the agricultural interests ?—It would have a
serious effect.

11876a. Do you think the farmer could readily substitute some other crop for
barley ?—No.

11877a. Could he find a market elsewhere for his barley if he continued to pro-
duce it ?—Not at the present time. Owing to the tariff on the other side it is impos-
sible for him to send his barley there, and the only thing he could do with it is to feed
it. At the present time the price of beef is low, and it requires other feed besides
barley to make the cattle grow.

11878a. Could he ship it to England ?—Not profitably.

11879a. Could he feed pork with it ?—Yes.

11880a. Would that be a profitable use of it ?—I do not think so.

By Rev. Dr. McLeod :

11881a. You think there is no use to which he could so profitably put it as to
liquify it ?—I do. Yes.

By Judge McDonald :

11882a. Do you not find that in Ontario a large number of farmers have given up
barley growing and have turned their lands into pasture, so as to carry on a dairy busi-
ness, sending their milk to cheese factories ?—The dairy business has increased around
Toronto within 20 or 40 miles, and also further out.

11883a. Are there many cheese factories in the neighbourhood of Toronto ?—None.

11884a. The milk is mostly sent into the city for sale ?—Yes, sent in every morning.
I have spoken to a number of farmers, and they say they were in a much better position
when barley was grown, for then they had a sure crop.

11885a. Do you sell the grain after you have got through with it ?—Yes. We
sell the grain to the milkmen throughout the country.

By the Chairman :

11886a. Is the hop industry a large one now in Canada ?—Very large.

11887a. From what district do you principally get your hops ?—From Prince
Edward, near Belleville, Georgetown, Galt, some at Milton, and some around the
eninsula.

11888a. Are any hops shipped from Canada to the United States or Great Britain
at the present time ?—Not at the present time. Some have been shipped to England,
but not to any great extent.

11889a. Could farmers readily substitute some other crop for hops ?—I suppose
they might ; but there are certain lands better adapted for hops than anything else.
In eastern Ontario they are very prolific, but in our neighbourhood we have not got
any. A good many hops are grown around Prescott.

ROBERT DAVIES.

J. J. KELSO, Guardian of Dependent and Neglected Children, Toronto, on being duly sworn, deposed as follows :—

By Judge McDonald :

11890a. What official position do you hold at present?—I am Superintendent, or State Guardian of the Dependent and Neglected Children in the Province.

11891a. You have been appointed under an Act of the Ontario Legislature passed last session?—A. Yes.

11892a. Before being appointed to that position were you connected with what may be called humane work in relation to children?—Yes, I was connected with the Humane Society for five or six years, and also the Children's Aid Society.

11893a. In connection with the Humane Society, was it part of your duty to look after animals and see that they were properly treated?—Yes.

11894a. And those who ill treated animals were punished for doing so?—Yes.

11895a. In the other line of your business, you are brought into contact with children who are ill treated?—Yes. I was in newspaper work for the last eight years in connection with the *Globe* and also with the *World*; and I did a good deal of police court work.

11896a. From your experience have you found that any great cause of neglect of children has been owing to intemperance on the part of the parents or guardians?—Yes; I am satisfied that I owe the position I now hold to intemperance and drunkenness on the part of so many people. I am satisfied that fully three-fourths of the children who need the attention of the public, are reduced to this state through the drunken habits of their parents, which lead to idleness and indifference.

11897a. Have you observed that idleness leads to drunkenness?—I have met a few cases where men have told me that they were driven to drink because they had been looking all day for work without finding it, and were so despairing at the end of the day that they resorted to drink.

11898a. That is enforced idleness; but I am asking whether men of idle habits are apt to drift into intemperance?—I think it is the other way. I think drunkenness causes idleness.

11899a. And has this drunkenness been the cause of a great deal of suffering among children?—Yes.

11900a. Have you noticed in the discharge of your humane society work whether drunkenness is the frequent cause of ill-treatment to animals?—Yes, drunkenness is at the foundation of nearly all cruelty. When a man gets drunk he will be more cruel, and the cruel traits of his character will come out more prominently than when he is sober.

11901a. Is that the case both with regard to the treatment of his family and of animals?—Yes, I have known mothers who, when they were sober, really idolized their children, but when they got drunk they would lock them out in the street all night, or would send them out to beg and encourage them to steal. When the curse of drink was on them, I have known mothers to send their children out at ten o'clock at night to beg. I have known them to take the clothes off their children's backs and sell them at a pawn shop; but when these mothers were sober they would not dream of doing such things.

11902a. Have you noticed whether there has been a decrease of intemperance in Toronto?—Yes, there has been a steady decrease of drunkenness.

11903a. Do you find an increase of temperance habits and temperance sentiment in the community?—Yes.

11904a. Do you find that growing stronger from year to year?—Yes.

11905a. Have beneficial results come from that change of sentiment and of habit?—I think so, but the class I am interested in do not seem to benefit as much as the general community.

11906a. Can you tell us where the class of which you speak obtain the liquor?—They obtain it from the ordinary saloons and stores. I think there is a common custom of women going to stores and buying ale and so on, or a bottle of whisky. For in-

stance, there is one store in St. John's ward, which certainly should not be there ; it is in the poorest neighbourhood of the city. Women will go in there and buy a large bottle of whisky and carry it off with them, and three or four of them will finish the bottle in a night.

11907*a*. Do you go around much through the city in the discharge of your duties ?—While I was on the newspapers my work took me among that class of people a great deal, and I was frequently out until midnight.

11908*a*. Have you reason to believe there is much illicit sale of liquor in the city ?—I think there is a good deal. I think there will always be more or less of that in the best governed countries.

11909*a*. As the result of your observation, do you believe the Saturday night and Sunday law is well observed ?—Yes, I do.

11910*a*. What are your present duties ?—My present duty is to see that justice is done to neglected children. Under this new law, when parents prove themselves unworthy to continue their relationship to the children, we propose, as far as possible, to take the children away from them, and provide them with a home in the country, so as to save them from the evils into which their parents have fallen.

11911*a*. Is there any statement you would like to make yourself in connection with this subject ?—My knowledge of this work came more in connection with the Fresh Air Fund. Some six years ago I started a Fresh Air Fund to take the poor children out in the summer and give them a holiday in the country. I found an immense number of cases of families containing from six to ten children each, and the father in nearly every case had deserted the family. On one trip we had as many as fifteen families where there were from six to ten children in each, and in no case was the father supporting them. After he had two or three children he would get out of work and get to drinking off and on, and in that way he would spend nearly all the money he earned. Then when things began to get too warm for him, and he had a great deal of trouble at home through not supporting the children, and his wife would get angry with him, he would leave the country. Then the mother was compelled to support the children, and she would take in washing, or go out washing. Nearly all these small boys that are getting into trouble all the time, belong to families which have been deserted by the father, and the mother is compelled to go out washing in the day time, when there is no parental control, or no one to look after the children. In nearly every case I have inquired into, there has been something of that kind. I was talking with a washer-woman some days ago. This woman had nine children, and her husband had left her. He had got tired of supporting his family, and one day he packed up and went away and left her. Now, it is very hard for her to keep those children straight. She is not at home to see that they go to school, and she is not there to see when they come home. They mingle with other children on the streets, and stay out till late at night, and the mother is helpless. Under the new law we can take children of that kind and give them homes in the country, where they will be properly brought up, and employment will be found for them. In the first place, we want to compel the parents to do their duty, but failing that, to take the children and give them an opportunity for development.

11912*a*. Have you considered the question of the enactment of a prohibitory law ?—Well, I am in rather a curious position in regard to that. I am not personally very strongly in favour of prohibition, because it seems to me to interfere with the liberty of the subject rather too much ; it would be very difficult to carry out a prohibitory law. At the same time, recognizing the evil and knowing the immense amount of misery that is caused by drink, particularly to young children, I would vote for prohibition and work for it to-morrow. I believe that if we could lessen the drink habit it would be a general benefit to the community. I would not be in favour of any measure to reduce the sale that did not at the same time reduce the manufacture, because as long as liquor is manufactured in such immense quantities, it seems to me that it must be sold in some way. When I was in Chicago I was struck with the fact that although there was an immense amount of drinking, I saw no drunkenness ; and I attributed it to the fact that the people drink beer and lager very generally, and very little whisky ; whereas in this country we drink more whisky than anything else. In a bar in this city eight

J. J. KELSO.

out of ten men will drink whisky. Now, if you can encourage the people, if they will drink at all, to drink lager or beer instead of whisky, I think it would be a step in the right direction.

11913a. As a result of your observation in Toronto, going about the city a good deal as you do, do you believe there are now more licensed taverns in this city than are needed for the requirements of the travelling public?—Yes, I think we could do with a less number easily.

11914a. Have you reason to believe that some of these licensed hotels are merely drinking places?—Yes; I am satisfied that nearly all of them are only drinking places; at least, there is an immense floating population going in and out of them, simply to drink. They are practically saloons, although they may have beds and give meals.

By Rev. Dr. McLeod:

11915a. How many children have you under your supervision?—The law contemplates that I should have supervision of all the neglected and dependent children.

11916a. How long have you held that position?—Six months, since the new Act was passed.

11917a. How many have you actually had to deal with so far?—My work so far has been in organizing the work and addressing meetings. I do not personally deal with children so much as to get others to deal with them. My duty is to organize Children's Aid Societies.

11918a. Still, you have general supervision?—Yes, my duty is to encourage others to look after neglected children.

11919a. You have knowledge of the children who are provided for by these local organizations?—Yes, we have in Ontario 4,000 dependent children in our refuges.

11920a. Are they supported by Provincial funds?—They are supported by municipal grant, by government grant, and by private charity.

11921a. Do you know how much the support of those 4,000 children costs?—A. It costs on a rough calculation, \$150,000 at the very least. The returns submitted to the Government showing the cost is over \$125,000, but that is for maintenance alone, and is outside the cost of the buildings.

11922a. Have you any figures with which you could furnish the Commission?—No.

11923a. Are there any public reports bearing on this subject?—There are returns to the Government of the number of institutions, the cost per head and so on. They are printed in the public accounts. I could supply one of these.

11924a. We would be very glad to have you do so. Do you find that offences against women and children are in a large degree attributable to the drink habit?—Not so much offences against them as neglect of them, causing those children to be thrown as a burden on the general community.

11925a. In your police court work for several years, what impression was made upon you as to the relations the drink traffic bears to the crime that you observed and poverty and distress generally?—I was thoroughly satisfied that nearly all those crimes were committed when the criminals were more or less under the influence of liquor. I found that a good many of the lower thieves would prime themselves with whisky before they would commit these thefts. Of course the professional burglar would need to have more nerve; but the less experienced ones nearly always blunted their sensibilities by drink. Then, of course there is drunkenness among the women, which in itself is ten times worse than men, because it causes them to lose their natural instinct and feeling, and they become thoroughly degraded.

11926a. Do you find there is much drinking amongst women?—Well, I see more of it perhaps than a good many would, because we see many of these women at the fresh air excursions with their children, and although we try to prevent them bringing bottles of whisky with them, we do find cases where we have actually to take the bottles from them. Then if we go to a summer resort these women will go to a hotel and seek to get liquor. There is a good deal of drinking among this class of women who neglect their families.

By the Chairman :

11927a. I think you said you would vote for a prohibitory law?—Yes, I would vote for anything that would lessen drunkenness.

11928a. Have you come to the conclusion that a prohibitive act would lessen drunkenness?—I think the more difficult you make it to get liquor, the larger the number of people who would not get it.

11929a. Would you prohibit the manufacture and importation entirely except for medicinal, mechanical and sacramental purposes?—Yes, I think that is the only way to reach it. I think we are manufacturing far too much. If we did not manufacture so much, it would not be so cheap, and therefore would not be sold so extensively.

11930a. Have you in the course of your experience had occasion to examine into the condition of things in the State of Maine under the prohibition they have there?—I have been there, but I do not know anything about it.

GEORGE T. DENISON, Police Magistrate, of the City of Toronto, on being duly sworn, deposed as follows:—

By the Chairman :

11931a. How long have you held your present position?—From about the first of June, 1877.

11932a. Have you any assistant, or do all the cases come before you in the police court?—All the important cases come before me. For the last two or three years Mr. Baxter has been trying some of the city by-law cases in the afternoon. I sit in the morning, and he has the afternoon court three times a week.

11933a. Has the number of cases coming before your court increased or decreased in that period, taking into consideration the large increase in the population of the city?—I have never figured that out. There are more cases now than when I was first appointed, but that was a good many years ago. The city has doubled in population since then.

11934a. Has crime increased or decreased?—I could not tell you that without looking at the records. The records are made up by the Chief of Police, and you can easily find them in the report of the Chief for each year. I have not carried them in my mind.

11935a. Taking the crime of drunkenness, do you think that has increased or decreased?—I could not tell you that without looking at those reports. I have not looked at them for some years.

11936a. Then you are not prepared to express an opinion as to whether there has been an improvement in the city in that respect?—I could not say without looking over the records. It does not interest me; I do not bother to look after that. In fact, when the reports are sent in at the end of the year I do not read them over.

11937a. Are a large proportion of the cases which come before you, those that arise out of drunkenness and infringements of the liquor law?—That also is all catalogued.

11938a. Can you say from recollection whether a large proportion of them are of that character?—Well, I would like to look at the figures on that point also, because they are all classified. There is a full catalogue of every offence, showing the drunks by themselves.

11939a. Do you make any report to the city?—The Clerk of the Court does that, and the Chief of Police.

11940a. This report is made from your court to the authorities in Ottawa?—The criminal statistics are made out by the Clerk.

11941a. Can you tell us the practice of your court in this matter. Suppose a man is brought in for an assault on the streets, and he is charged with that in the police

J. J. KELSO.

charge, I suppose the police make up a charge sheet, do they not?—Yes, he would be put down as an assault.

11942a. Suppose it was discovered that he was intoxicated, would he be tried for intoxication as well?—No; if he was charged with assault he would be tried for assault. It might come out in the evidence that the man had been drunk, but there would be no record kept of that. A man will sometimes say: I did strike the man, but I was under the influence of liquor or I would not have done it. There would be no record kept of that.

11943a. Occasion would not be taken of that to fine him for drunkenness?—No, not in that case. I would fine him for the assault, but on a case of assault I would not fine him for drunkenness.

11944a. We have discovered cases in which the charge entered on the police sheet has been enlarged, and the man has been convicted for two offences?—How for two offences?

11945a. He may be taken in for assault, he admits that he has been drunk, and he is fined for both?—Well, I do not know that that has been done.

11946a. I am not saying it has been done here; I say we have discovered such cases in other places?—It struck me that was something rather new.

11947a. What we desire to ascertain is whether the methods adopted in different places are uniform, so that we may know whether, in comparing statistics, we are comparing like with like?—Such a thing might happen as a man being brought in on a certain charge, and that charge being dropped and another substituted. Sometimes that is done. He might be convicted of two offences, but they would not both be on identically the same facts—at least, that may be done in some courts, but I object to that. I generally take the most important charge, I do not see any use in accumulating them. Say a man commits an assault on the street; if he is drunk when he does it, he commits an offence against the by-law, and also against the Vagrancy Act. For fighting on the streets he is disorderly under another by-law of this city, and could be fined. If he uses abusive language when he hits a man, he is also liable under another by-law. But I never allow them to take more than one case, because I do not think the cases should be accumulated, one is covered by the other. It has not been customary with us in such cases to do more than take the assault, or the drunkenness, or the disorderly conduct.

11948a. I am not sure whether you said a report was made from your court to the city authorities?—I said the Chief of Police makes a report and gives statistics of all the business done. He gives an absolutely full report of everything that is done through the court. That is reported by the Chief to the Police Commissioners, and the Commissioners forward that to the City Council, and it is published in the records of the Council. I see before me the report for 1889. I think in that year the offences were a little more numerous than they are this year.

11949a. Then there has been a decrease?—Yes.

11950a. Can you tell us from those reports what the number has been in previous years?—I know in 1889 it was 11,587. That is the largest number since I have been a Magistrate. You will find it on page 12.

11951a. Then there has been a gradual decrease since that year?—There has been a slight decrease. In 1892 the number was 8,991.

11952a. And the population has been gradually increasing since that time, I suppose?—Yes, generally speaking, but I think last year there was a slight decrease. I have a vague idea that the assessors this last year found there had been a small decrease.

11953a. To what do you attribute the decrease in crime which those figures show?—That I cannot tell you. Perhaps one reason may be that we established a new department in the police force some years ago, called, I think, the outside morality department, and there was a cruelty to animals department. There were special things told off to the special officers to look after. I think there was a great deal of activity in pressing large numbers of cases, and a good many more were brought up on that account. These outside departments would tend to increase the number of offences which are reported here. Then another thing, we had some years a great many snow cases, but last year we had hardly any on account of a new by-law. In 1889 there were 2,040 breaches of the city by-law, and in 1892 1,389. Now the corporation clears the snow.

11954a. The reports of the Chief of Police show a large reduction in the number of arrests for drunkenness; from that would you conclude that there has been a decrease in the amount of drunkenness in this city?—I should judge that there had been less drunken people on the streets.

11955a. And that reduction does not arise from a change in the methods of arresting and prosecuting?—I do not know of any change. I have heard some people say that the police do not arrest so freely for drunkenness now as they used to do. I do not know whether that is true or not.

11956a. Is the Chief of Police permitted to allow certain persons to go in the morning without trial?—Not the Chief of Police, but the Inspector, and the Sergeants who have the power of Inspectors for that purpose. If the parties are up for the first offence they allow them to go without bringing them into court; but those are all recorded in the number of arrests. In fact they are marked in my book every morning, and I see how many were discharged by Inspector so and so.

11957a. Do you think the Commissioners would be justified in concluding that the decrease in the number of arrests is evidence that there is less drunkenness in the city than there was?—Well, that is a matter of opinion. Of course, if there are less people drunk on the streets, I suppose there is less drunkenness, but I cannot tell. Quite a number of people might get drunk and keep in doors. But looking at those figures on general principles, that would be an assumption that anybody could draw.

11958a. Has every one the same opportunity of observation that you have?—I do not observe. I have not been inside a tavern or saloon in this city since I have been a Magistrate.

11959a. Are you in a position to gain an experience about these things from what occurs before you every day?—I can tell you from what comes under my observation. I see no reason why those figures should not create a belief that there is less drinking going on, because when people get drunk on the streets they are arrested; and if there are less arrests, the natural assumption would be that there are not so many people drinking.

11960a. Do you think the reduction is to be attributed at all to the reduction in the number of licensed places within the city?—I do not see how they would make a great deal of difference. If people want to get drunk I believe there are plenty of places where they can get it.

11961a. Are you disposed to think that the reduction in the number of licensed places had anything to do with the decrease which the statistics show to have taken place?—That I could not say.

11962a. I may say that I find in 1881 the arrests for drunkenness were 30·22 per thousand of the population; in 1892, they were 19·19 per thousand of the population in the city of Toronto. That is a large decrease?—That indicates a reduction.

11963a. Have you formed any conclusion as to the causes which led to that?—I have never thought about it. I am not interested in any way, and it never struck me before.

11964a. Have you given any consideration to the subject of prohibitive legislation?—No; I have not. I have no view about it one way or the other.

11965a. Have you any preference for a prohibitive law over a license law?—I have no preference at all. When I went on the Bench I made up my mind that I was not going to interfere with anything of that kind, and I have not voted on anything of that sort. It is my business to be impartial, and I have tried to be impartial as much as I could; and during all the years that people have been before me I do not think anybody could form any idea as to whether I was in favour of a license law or a prohibition law, or no law at all.

11966a. Then, not having given it any thought, you have not come to any conclusion?—I have tried to keep myself as free as I could. I act as a judge. I think I can fairly leave those theories to other people; I have made up my mind not to consider them.

11967a. We had the Chief Justice of Quebec before us, and he did express an opinion on the subject.—I have an objection to expressing any opinion, and I have avowedly refrained from coming to any decisive conclusion on the matter. I simply

GEORGE T. DENISON.

have not bothered my head about it. If the Chief Justice of Quebec had had as many cases as I have where people are brought before me holding strong views on opposite sides, he would probably come to the conclusion that it would be just as well not to have any decided views.

By Judge McDonald :

11968a. Have you had any experience of a prohibitory law, professing to prohibit the sale of liquor for beverage purposes?—We have never had anything of that sort in Toronto.

11969a. I am asking you whether you ever had any experience of such a law?—How would you have any experience about it.

11970a. That is for you to say. Possibly you have been in counties where such a law has been in force?—Well, if I had I would not know it.

11971a. Then you have never been in any counties in Ontario where the Scott Act was in force, to your knowledge?—I may have been, or may not. I would not know. Most likely I have. I have been in a great many counties.

11972a. Do you know whether you have been in any county where the Scott Act has been in force?—That I could not tell you. If you will tell me the counties where the Act was in force, I can tell you whether I have been in them. I might travel through a district or a county, and would not know whether there was a Scott Act there or not.

11973a. Do you mean that so far as your knowledge goes you have not been in a county where the Scott Act is in force?—I do not mean to say that, because I have been in many counties.

11974a. But I say, so far as your knowledge goes you have not been in a county where the Scott Act was in force?—I cannot tell you whether I have been or not. I have been in a great many counties in Canada.

11975a. Well, so far as your knowledge goes, have you been in a county in which the Scott Act was in force?—Or in which it was not in force?

11976a. No, in which the law was in force in that county?—I do not know of any. But I may have been in a dozen, and would not know it?

11977a. So far as your knowledge goes, you have not been in any?—Most likely I have, because I understand there are a great many Scott Act counties, and I have been in a great many counties.

11978a. Have you been in any county in Ontario at any time in which, so far as your observation went, you had reason to believe there was prohibitory law in force?—I think I have never ordered a drink in a tavern, and I would not know whether they sold liquor or not.

11979a. Have you been in the State of Maine?—Not for a great many years.

11980a. Have you been in the State of Maine within the last forty years?—Well, forty years is a long while.

11981a. I mention that period because the Act has been in force there during that time?—I arrived in Portland once from the old country, and got on a train and came through the State of Maine; and I am not quite sure but that I sailed once from Portland to Halifax. But I made no observations. I would not know whether there was liquor to be sold or not.

11982a. You are not then in a position to give us information as to the working of a prohibitory law in any section?—No. Oh, yes, there was a prohibitory law in the North-west Territories. I was there during the North-west rebellion.

11983a. There was then a prohibitory law in force; how did you find it carried out?—Now, you are asking me something that I do know a little about. Liquor was prohibited there, but it struck me that fellows who wanted it badly, got it.

11984a. It was at the time of the North-west Rebellion?—Yes.

11985a. How far did you go?—I went as far as Humboldt. I was in command of the communication there during the campaign.

11986a. Were you at Regina?—No, I was at Fort Qu'Appelle for two days.

11987a. Were you at Prince Albert?—No; I did not go through Prince Albert. To show you the tricks the men resorted to to get liquor, I may say that my farrier sergeant came to me and asked me to send down for some horse medicine. Of course I

told him to make out his bill and send it down to headquarters at Winnipeg. He did so, and they were sent up. Before they came up I had a little suspicion, I thought I would like to look at this box of medicines; and I gave instructions if the box came to have it brought to my tent. It came and I opened it, and found it filled with whisky, all done up in bottles of colic drenches for horses—eighteen bottles, a big share of whisky. I knew it was contrary to law to have anything there, and I put the sergeant under arrest, and ordered a parade of the corps, and broke all the bottles and poured the stuff out on the snow. It created a thrill of horror among the gentlemen who liked that sort of stuff. In the North-west, I believe, that was the only instance in which the law was carried out with strict legality. A lot of them looked very thirsty while I was pouring it out. The point you get out of that is the schemes that people will contrive to get whisky. That was what struck me in reference to that incident and one or two others.

11988a. I suppose you have a good many men brought before you charged with drunkenness that come back time and again?—A great many. I had one man once who had been sent to jail over and over again by my father, when he was an alderman and used to hold court here; and he had been sent by my grand-father a great many times, and I must have sent him, I suppose scores of times—that is the celebrated Harry Henry. The first time he came before me he said: You may send me down, your father and grand-father have done it often enough.

11989a. Take a case such as that; is there any reformatory influence upon the individual in short terms of imprisonment?—Harry Henry used to go about six months at a time. My impression is that he was not a dissipated man. I think he wanted to go to jail because he had no other home, and he was always kindly treated.

11990a. Have you considered whether these men with whom alcoholism seems to be a disease, might be benefited by being sent for a long term to some institution especially intended for that purpose?—I do not know that you would succeed even then. With some of these people, the case seems to be hopeless. Their friends seem to do everything they can for them. It must be some sort of a disease or weakness that they cannot get over.

By Rev. Dr. McLeod:

11991a. Sometimes a fine is imposed for drunkenness?—Constantly.

11992a. What is your usual fine?—For a common drunk, \$1 and costs or 30 days.

11993a. In some places they impose a much larger fine?—Under the law, I might go as high as \$50.

11994a. Is the Monday morning fine different?—No difference at all.

11995a. In some places they double the Monday morning fine as if they wanted to emphasize the gravity of the offence against the Sunday law?—I would have all Saturday and Sunday cases up on Monday.

11996a. In the many cases that come before you other than simple drunks, do you find a considerable proportion of them traceable to drink?—I could not tell you that. There are some no doubt attributable to drink.

11997a. Would they be a considerable percentage?—That I could not tell, I keep no record. In the high classes of crime, the more important classes of crime, I think that men are much more temperate.

11998a. For business purposes they are temperate?—Yes; they cannot do a good business unless they are temperate.

11999a. Is there any official who could give us something like an accurate statement about the proportion of other crimes than drunkenness that are traceable to drink?—That would be impossible, because it comes in such an incidental sort of a way. A man is up for larceny and says, well, I plead guilty, but I was drunk or I would not have done it. There is no record kept of his admission of drunkenness.

12000a. Your general impression is that there is a proportion?—Yes.

12001a. Have you much juvenile crime?—A great deal.

12002a. For instance, petty thefts?—A great deal, it is the most serious thing we have got to deal with; and if the gentlemen who are making the laws of this country

GEORGE T. DENISON.

could devise some means that would tend to lessen crime among children, it would be a good thing. They worry me more than anything I have to do with.

12003a. Girls as well as boys?—Girls and boys, both.

By the Chairman :

12004a. Do you speak of the offence of drunkenness?—No, not drunkenness, little petty thefts, all sorts of light offences.

By Rev. Dr. McLeod :

12005a. Have you observed sufficiently to enable you to venture an opinion as to whether any proportion of this juvenile crime is traceable to the drink habit of the parents or guardians, and therefore the neglect of these children?—No, I do not think it is that. I do not know what it is, it is hard to say.

12006a. So you think it is hereditary?—No, I do not think that. The children are about on the streets and they get ideas of crime into their minds. I think the literature they read has a bad effect, these miserable little dime novels and penny dreadfuls that are in every shop of the city. The theatrical performances in the theatres they go to almost invariably show crime of all sorts, and these things, I think, have a very bad effect upon children, and what the race is going to be in another twenty or thirty years, if something is not done to stop this corrupting influence, I do not know.

12007a. Do you think the practical abandonment of these children to run about on the streets, is attributable to the drinking habits of their parents?—That I could not tell. I do not know who their parents are.

12008a. You have offences sometimes against women and children, husbands abusing their wives and refusing to support them. Do you know whether any proportion of these offences are traceable to drink?—Yes, there are some such cases.

12009a. Are there many cases before you of persons charged with illicit liquor selling?—Yes, a great many.

12010a. You think then that there is considerable illicit sale going on?—I should say so. I fine a good many people for it.

12011a. Do you find that licensees are sometimes charged with selling after hours?—I have cases like that.

By Judge McDonald :

12012a. Did I understand you to say that juvenile crime appears to be increasing? It strikes me so. I have not looked over the records, but I have them before me all the time. I worry a good deal about the children, there are so many of them going into crime. I have sent hundreds of them to the Mimico school, and still the crop seems to be coming on all the time.

12013a. We are told from all quarters that drunkenness is decreasing in the community?—I fancy it would be interesting to get a record of the ages of offenders between ten and fifteen years. In 1892 there were 603 between ten and fifteen, and 767 between fifteen and twenty. There you see almost 1,400 young people in one year.

12014a. What proportion are girls?—As 15 to 85. In 1889 there were 561 aged from ten to fifteen years, and this year there are 603. Of those between fifteen and twenty there has been a decrease, because in 1889 the number was 1,024. My impression is that juvenile offences are increasing in later years, although there are a number of very trifling cases among these.

12015a. Do you notice whether many children who sell newspapers on the streets come before you?—Yes, we have some of them.

12016a. Some police authorities think that children being so much on the streets selling newspapers, are more liable to go astray?—We have a great many of those, a great many boys. I do not know what to do with them. We had them there to-day for throwing stones at railway trains.

By Rev. Dr. McLeod :

12017*a*. You have an Industrial school, have you not?—Yes. I had a boy there this morning, the son of perfectly respectable people, more mischievous than anything else, and he was up for throwing stones at railway trains, a very dangerous thing

12018*a*. Do you let them go sometimes on suspended sentences?—I let this boy off on a technicality this morning, after threatening him with the penitentiary.

By Judge McDonald :

12019*a*. Do you think a change in the law that would allow boys to be punished with flogging, would be beneficial?—Yes. It is an unpleasant sort of thing, but I think there are some cases where it would do good if the police were made to do the flogging in the presence of the Magistrate. One does not like the idea of using violence to children in that way, but it may be necessary and beneficial. Sometimes I think it would be a good thing to apply the switch to wife beaters, because if you send them to jail you take the wife's living out of her mouth.

By the Chairman :

12020*a*. I think you said that the number of juvenile offenders, you thought, had increased?—From my memory.

12021*a*. I see in 1889, the number between ten and fifteen years was 561; in 1890, 653; in 1891, 547; and in 1892, you said there were 603. That would not indicate much change; in fact, the figures in 1892 are a decrease from 1890?—That may be, I have not looked them over. It just shows how impossible it is to rely on one's memory. I had an impression that there was an increase. It may be that many of those in 1890 were for trifling offences, such as breaking branches off trees, throwing horse chesnuts about the streets, and little things of that kind.

12022*a*. Do you think it would be an improvement if some institution were established to which drunkards, convicted for a second or third time, could be committed and made to work, and be treated as for a disease, instead of being sent to the common jail?—Of course that would be a point for a medical man to decide, but if there is any efficacy at all in these sanitariums, I should be in favour of sending to them for treatment, not only persons who are convicted a second or third time for drunkenness, but a man who is known to be a habitual drunkard, say for a year, in the hope of saving him. I think there are plenty of institutions where they could be sent.

12023*a*. Do you think it would be well to give the magistrate power to commit them to such an institution?—That would be in cases where people are habitual drunkards. There are some habitual drunkards who never come before my court.

12024*a*. But I am speaking of those who would be brought before the court?—A person came to me not very long ago and spoke about a relative that was drinking himself to death, but there was no possibility of his ever coming to my court, and there is no doubt at all that he will be dead in a year or two if he goes on.

12025*a*. Would it be well to have such places where a case of that kind could be dealt with on application of the man's relatives?—That is what I mean. I should think in cases of that sort it would be a grand thing to be able to send a man to some place where he would be cared for and treated medically as for a disease, and kept for a year.

12026*a*. I suppose that you, like other police magistrates, have a large number of people coming before you whose faces are perfectly familiar, who come before you and are sent to jail, and come out and in a short time go back again, and all this several times a year?—Lots of them.

12027*a*. I think you said that it was your view that the committals to jail had not much reformatory influence upon them; now, would it not be better to send these people to an inebriate asylum where they could be dealt with and treated medically, and at the same time be made to work?—I think there are many cases in respect to which that would be an improvement over the present system.

12028*a*. And I suppose it is a frequent occurrence for you to meet these familiar faces in your court?—Yes, they come seven or eight times a year.

GEORGE T. DENISON.

12029a. Where they pass from the street to the jail, from the jail to the police court, from the police court to the cells, and from the cells back again on to the street, making a regular procession the year round?—Yes, they make the complete circuit

EUGENE O'KEEFE, on being duly sworn, deposed as follows:—

By the Chairman :

12030a. What is your business?—Brewer and maltster.

12031a. Is your establishment in Toronto?—Yes.

12032a. Is it a company or a firm?—A company at the present time—the O'Keefe Brewery Company of Toronto, Limited.

12033a. Do you make different kinds of liquor?—Yes, ale, porter and lager beer.

12034a. Of which do you make the largest quantity?—Ale and porter.

12035a. What number of men do you employ?—At the present time we have 78, including the whole staff, travellers and all. That includes one who is coming on in a week. From 78 to 80 is about our force.

12036a. How long have you been carrying on business?—Going on 32 years.

12037a. Has it always been a company?—Oh, no, only within the last two years. It was O'Keefe & Co. before that.

12038a. How much do you pay in wages?—I prepared the figures carefully last night. \$50,914 a year, including expenses of travellers, which of course are charged as salary.

12039a. Included in the seventy-eight are the office hands, I suppose?—Yes, the whole staff. We count our year from the 1st of September to the 31st of August.

12040a. Have you the figures of the number of gallons of liquors you have manufactured?—Yes, for a portion of the time. I find that the lager beer accounts have not been kept by themselves—the quantities have not been added up. I will start at 1882-83 and give you the Imperial gallons of ale, including porter, up to 1886-87, after which lager is included.

Ale.	Imperial gallons.
1882-83	285,086
1883-84	271,420
1884-85	303,229
1885-86	361,522
1886-87	408,892

Ale and lager beer.	Imperial gallons.
1887-88	662,415
1888-89	734,735
1889-90	782,157
1890-91	800,089
1891-92	881,459
1892-93	918,957

12041a. Is your product sold principally within the Province of Ontario?—It was up to a couple or three years ago, when we found it necessary to put out travellers to compete with our competitors, and our business has increased as a consequence. I fancy if it were not for that it would have fallen off.

12042a. Where do you principally export to?—I mean out of the Province?—We send it all through Ontario, also to Montreal, very largely in lager beer, and very little outside. We have sent some up to the North-west, but we found it was not a paying business—too much trouble.

12043a. What you sell outside of the Province of Ontario, I understand is sent principally to Montreal, and that chiefly lager beer?—Yes, and some to Ottawa, ale principally; to Montreal it is lager altogether; we sell to a brewer there.

12044a. What do you use principally in the manufacture of ale and beer?—Barley malt. I presume all brewers in Canada do that.

12045a. You use no grain but barley?—Yes, barley malt.

12046a. You use hops, of course?—Oh, certainly, very largely.

12047a. Do you make your own malt?—Yes. During 1890 and 1891 we bought 5,279 bushels, and last year we bought, for delivery this fall, 5,000 bushels of malt already made.

12048a. Can you give us the quantities of barley you used?—From 1883-84 to 1893 we bought 500,143 bushels and 41 pounds of barley, 48 pounds to the bushel. There would be an increase of about three per cent to convert it into malt. Besides that, we bought in the last two years 10,279 bushels and 34 pounds of malt.

12049a. Is the barley you use all grown in Canada?—Yes, all Canadian barley.

12050a. From what districts?—We get it from all over, north, north east, east, not a great deal from the west. Our northern barley is considered very fine; so is the Bay of Quinté, but we get very little of that; it goes principally to Montreal. Our northern barley is so fine that our American friends pay thirty cents a bushel of duty on it, they took from us from nine to ten million bushels a year. But the McKinley Bill put thirty cents on it, and then they had to draw in.

12051a. Was your output much affected by the adoption of the Scott Act in many of the counties of Ontario?—I may say that at the time the Scott Act contest was raging in the counties, we did almost exclusively a city business, though we filled some orders by correspondence. Of course, it did decrease the sales; that is my impression at the present time.

12052a. Was there any particular reason which led you to go into the manufacture of lager beer?—I will just tell you what caused it. On a certain occasion here I called on several of the brewers to ask them to join me in a deputation to wait on the Water Commissioners in reference to the water rates, and while doing so I inquired at each place how business was. They all said, "It is poor, this lager beer business is knocking us out." Mr. Davies had been at the Philadelphia exhibition, and he saw so much of lager that when he came back here he started a lager beer brewery. I was so impressed by what I heard that I made up my mind to go into the lager beer brewing. I did not care for the trouble, but it was simply to protect our ale business that we went into it.

12053a. Shall we be correct in concluding that a demand for lager beer sprung up?—Yes.

12054a. Is the consumption at the present time much larger than it was a few years ago?—Oh, yes; much larger.

12055a. Do you think there is a preference for lager over the heavier descriptions of ale?—Decidedly so, at certain seasons of the year.

12056a. Is it less intoxicating?—Less intoxicating, of course. We had an analysis of the Excise Department made here a short time ago, and it showed three and three-fifths per cent of alcoholic—not absolute alcohol of a hundred per cent, but alcohol on a fifty per cent basis. The best way to put the fact, as we told Mr. Foster when we brought the matter before the Government, is that the brewers of this country are doing more in the interest of temperance than all the prohibition people together. In 1865, the total quantity of lager beer brewed in Toronto was 4,625 wine gallons, according to the excise returns, whilst last year we brewed 588,240 gallons, and assuming that the three other breweries turned out a similar quantity, we have close on 1,200,000 wine gallons in Toronto alone, an increase out of all proportion to the increase of population; and my contention is that lager beer has displaced an immense quantity of ardent spirits. (Appendix —). This shows clearly that the malt beverages are taking the lead; and, as I contend, it is just like the changes in the fashions. When the fall comes, the ladies do not require an Act of Parliament to make them change the cut of their bonnets—they do it themselves very quickly. Neither do the stalwart sex require a law to make them change the cut of their coat. Customs are greater than laws.

EUGENE O'KEEFE.

12057a. What would be the effect of a prohibitory law on the farmer?—He would lose the sale of just as much barley as he sells to the brewers and distillers, as well as other grain. The fact that the Americans prefer our barley, shows that it is preferable to their own. There is more lime in our soil. Last year they imported two or three million bushels of our barley and paid the duty on it. It is a pity, when we have such advantages, that we do not profit by them more than we do.

12058a. Do you think the farmer would still continue to grow barley, and find a market for it in the United States?—He might, but he would be at the mercy of the United States people, who, I fancy, would just pay their own price, which, as a rule, is much lower than ours.

12059a. Would he be likely to find a market for it in England?—They tried that, but I do not think the experiment was successful. In England, they want the two-rowed, thin-skinned barley, which we have not been able to produce to a great extent.

12060a. Would he find it profitable to feed his barley to cattle and stock?—No. It has been only in the last two or three years, when the price has been so low, that any of the farmers have been doing that with any but the lower grades.

12061a. An advance was made in the duty on malt, I think, two or three years ago?—Two and a half years ago. The duty was advanced just a hundred per cent.

12062a. Did that affect your production at all?—It did not affect ours, as you see by the returns; but I think, on the whole, that the quantity of malt taken out for consumption has not been equal to what it was in former years.

12063a. Would it be fair to infer from that that a little less malt is being used in the making of beer?—I think so. We are using exactly the same quantity that we did before. We are working for reputation, which is very easily lost and not easily picked up again.

12064a. Do you think that advance in the duty has led to checking the quantity of malt consumed?—Oh, certainly, and it has brought brewers down almost to the verge of bankruptcy, and the quality of the article produced has not been kept up to the standard. We cannot increase the price; we have to keep to the same price, and lose the extra duty. We tried to increase the price, but we had to fall back on the old price.

12065a. Will you tell us the quantity of hops you used last year?—70,763 pounds. That is what we took in, and I assume that we used the same quantity.

12066a. What was the quantity used in the same years for which you gave us the quantities of barley?—It would be in the same proportion.

12067a. Were those hops all the production of Canada?—No. Some Bavarian, some Bohemian, and some British Columbian.

12068a. What proportion was Canadian?—The great bulk was, of course, produced in Canada. Last year we did not buy many Bavarian hops, because the price was pretty high; but in previous years we bought them quite heavily.

12069a. What other materials do you use?—The hops cost us last year \$14,757.12. Our coal bill amounts to \$4,428.40. Cooperage is quite a heavy item. We keep two coopers on the place all the time mending barrels.

12070a. Is your product sold principally in wood or in bottles?—Principally in wood, but a good deal in bottles.

12071a. Do you make your own barrels?—No. We keep a couple of coopers to trim them up and keep them in order.

12072a. Are they made in Ontario?—Yes.

12073a. Of native woods?—I cannot tell you that. I think latterly they have been getting wood in from the other side, but I could not say as to that. All our tanks we got here, with the exception of five or six large lager beer tanks that we got in Buffalo last year, and some cedar tanks that we got from Philadelphia.

12074a. Are the bottles made in Canada?—In Germany principally. I do not know that we have a manufactory of bottles here.

12075a. Can you tell us the value of your property?—We are bonded for \$550,000. Since that we have built a fine new brewery, which would increase it by, I think, \$50,000.

12076a. What is the capital stock?—I have made a mistake. Our brewery represents a paid-up capital of \$550,000; that is our total capital, to which must be added 50,000 for the new brewery and plant. The amount affected would be between \$550,000 and \$600,000.

12077a. In the event of the brewing of malt liquors being discontinued in Canada, would your property be largely depreciated?—We would be ruined, absolutely ruined. Of course our plant would be useless for any other purpose that I know of, and it is a very valuable plant—most modern in every respect.

12078a. Your real estate would remain?—The real estate would remain. You might convert it into a shoe factory or a Salvation Army barracks or something of that kind; but I think the depreciation would be so great that it would not count for much.

12079a. Have you formed any estimate of what the depreciation would be?—I have not, because it would be ruinous. The question would be what you could convert the brewery into in that locality.

By Judge McDonald:

12080a. We have had much evidence of a growing temperance habit and of a great decrease of drunkenness in the province. Do I understand you to attribute that improved state of things to a certain extent to people drinking more lager beer now, and much less strong drink?—Yes; and the people are frowning down drunkenness to a great extent.

12081a. Do you give that as a reason?—I give you the figures, and you can draw your own deductions.

12082a. I want to know whether you believe yourself that that has had an influence?—I am perfectly safe in assuming that it has. If we adopted the same sensible measures here that they have adopted in the United States, not to weigh down fermented beverages with a terrific duty, but try to induce the people to drink lager beer to the exclusion of whisky, it would be better. In my opinion, whisky is too cheap in this country; any man can get a drink of whisky here for five cents; in the United States it is ten or fifteen cents. In the United States they consume four times the quantity of malt beverages per head that we do in Canada. My contention is that if the Government would do all they could to encourage the use of these malt beverages to the exclusion of the stronger ones, it would be better for the people. I was surprised to find an intelligent man like our Mayor saying that each man should make his own liquor. The result of that would be that it would be made out of potato peelings and things of that kind. Let us have decent whisky if we are going to have it at all. The people will have whisky if they want it, even if you shut up all the breweries and distilleries. They will not have beer; that is very bulky; but they will have whisky. Even if I went out of the business to-morrow, I would still advocate strongly, give the people light beverages, wine and ale, and lager beer. There has been a tremendous turn-over since 1866 in regard to the consumption of one particular beverage, which I may say contains less spirits than any other stimulant known; and I think it is in the right direction.

12083a. Have you had any experience yourself of the working of a prohibitory law?—Oh, no; but I have seen the workings of the introductory measures, the Scott Act and the Dunkin Act.

12084a. I mean the Scott Act?—Oh, yes, I had the pleasure of fighting that in one county.

12085a. Where?—In Halton.

12086a. Did you see how the law was carried out?—No. I kept purposely out of the hotels. I thought I might be called up because I was Treasurer of the Licensed Brewers' Association.

12087a. Did you see its operation in any other county?—Yes, I saw it in Barrie shamefully transgressed, the bars open without any concealment whatever, even the very Inspector drinking with us, and the bars crowded.

12088a. Did you hear anything of a beer called blue-ribbon beer?—I have heard of it; it is very light stuff.

EUGENE O'KEEFE.

12089a. Did you hear of a beer called Weiss beer?—Yes, I think that is a kind of lager.

12090a. And Schenck Beer?—I have heard of it; I think it is a very light lager beer.

12091a. Is there alcohol in it?—I should say there is. They claim that there is two per cent of alcohol in koumiss or fermented milk.

12092a. Would there be as much alcohol in these beers as in lager?—I do not know. American lager is made largely from rice, glucose and corn. There may not be so much spirit in these as in good beer.

12093a. Having lived in Toronto so many years, I suppose you have noticed the operation of the license law there?—Yes.

12094a. Taking such observation as you have had of a prohibitory law—and in that I include the Scott Act and the Dunkin Act—which do you think is preferable in the interest of the community, a license law such as we have in force in Ontario or a prohibitory law?—I should think a strict license law is the correct thing decidedly.

12095a. We are told that within the last few years there has been a large reduction in the number of licenses in Toronto. Do you think that was in the interest of temperance?—I think possibly it was in the right direction. Some of the places did not come up to the proper standard. I think the number of licenses we have now is smaller in proportion to the population than in any other city in the world.

12096a. We understand that you are not up to the limit allowed by the law?—Not one-half, scarcely one-third, I should say.

12097a. From your knowledge of the men engaged in the traffic at the present time in Toronto, do you believe the law is lived up to in this city?—Very fairly, I think. Sometimes there may be some little defections.

12098a. Have you reason to believe there is illicit sale to any extent in the city?—I could not of myself say so.

12099a. I think Mr. Davies told us this morning that the brewers would not supply liquor to persons who were known by them to be engaged in the illicit sale?—We are completely down on that class of business; we would not sell a gallon to a man who was going to sell it illicitly. We sell our beer to wholesale grocers, and it may be got from them; but there is a standing rule that not a gallon must go to an illicit house. We found that one man was selling to boarders, as he called them, and we at once shut him off. In justice to those who are licensed and under the eye of the law all the time I think it would not be fair to supply illicit dealers.

By Rev. Dr. McLeod:

12100a. You spoke of employing seventy-eight people. How many of these are employed in the brewery proper, aside from clerks and travellers?—We have two country travellers and two city travellers.

12101a. And then you have how many clerks in the office?—Five.

12102a. So there would be about seventy employed in the brewery?—Yes.

12103a. That includes the coopers and all the men who drive the wagons?—Oh, yes, they are all employed in connection with the brewery.

12104a. I want to get at the proportion of wages paid to the men who actually work in the brewery, independent of your travellers and clerks. You pay altogether \$50,914 in wages per year. Take out what you pay to the four travellers and the five clerks, and the travellers' expenses, and I suppose it would reduce that amount considerably?—Yes. We would be only carrying out our business by paying them. There is no use of making ale if we cannot sell it.

12105a. I would like to get at the actual wages paid to the men in the establishment?—That of course includes the President and the Vice-President and the brewers.

12106a. You are the President yourself?—Yes.

12107a. And there is a Treasurer, I suppose, and a Secretary, and sundry clerks besides?—Yes.

12108a. So that the actual hands employed in the brewery proper, aside from these and the delivery men, would be how many, do you suppose?—About \$17,992 should be taken off the total amount for the executive staff, the brewers and others.

1210c. That brings it down to a little over \$30,000?—Of course the brewers are considered the men that make the beer. The others would be of very little use there if they had not the brewers to turn out the stuff for them.

12110a. You said something about the lager beer being troublesome?—I said that when we first started in we considered it troublesome, because it was a venture. We did not enter into it for the purpose of doing a large business, but for the purpose of protecting our ale business.

12111a. Aside from that, have you observed whether the liquor business as carried on has any effect at all on other branches of business?—I cannot say that it has. I do not know.

12112a. Whether an injurious or a beneficial effect?—Of course, we all know as far as drunkenness is concerned that it does cause trouble—and will, I suppose, to the end of time.

12113a. Do you regard the brewery business as related at all to the whisky traffic?—I cannot say that it is.

12114a. They have no relation to each other?—I would not say that.

12115a. Do they affect each other?—I am very sorry to say the whisky business affects the beer business to a very serious extent.

12116a. And you are now inclined to think that the beer business affects the whisky business?—I cannot say that it does. My impression is that if we could introduce the American system, so that you could go among a million of people and not see the sign of any drunkenness, that would be a very happy state of things.

12117a. The beer business, you think, is displacing the whisky?—That may be the cause.

12118a. Do you think that is a desirable state of things?—Decidedly.

12119a. From a purely business point of view or from a moral point of view?—From a moral point of view decidedly.

12120a. I asked that question because you expressed the opinion that the brewers were forwarding temperance reform?—Decidedly.

12121a. I suppose you are not in the business for the purpose of temperance reform?—Yes, you may put me down as that. The brewers are doing more to promote temperance than all the prohibitionists in the country.

12122a. The Government is not disposed to assist them by increasing the duty on whisky?—We unfortunately have a prohibitionist Finance Minister, and that is the reason is it not?

12123a. Do you think that if the duty were increased on whisky it would promote temperance?—I think if they put a larger duty on whisky than there is at the present time, you will have smuggling to a large extent. The limit is, I think, reached.

12124a. You say you were in Halton fighting the Scott Act?—I was not fighting the Scott Act. In Barrie I happened to be with other gentlemen, and I was surprised at the manner in which things were being carried on. The bars were wide open and liquor being sold. In one case I spoke to the Inspector, and he thought it was a very hard law.

12125a. Do you think the inefficiency of the Scott Act was attributable to that class of Inspectors?—I do not think the thing took with the public generally. I think most people did not care for it.

12126a. If the quantity of liquor sold was not lessened, why were the Brewers' Association of which you were the Treasurer, so anxious to have the law repealed?—I would certainly oppose it on the ground of its being an oppressive measure—a measure that might lead up to something wrong. I cannot tell you, like others who were selling in the country, whether there was more sold or not. My business was principally in the city at that time.

12127a. You filled some orders by correspondence?—Yes.

12128a. Did you cease to fill orders from these Scott Act counties when the Act ceased to be in force there?—We got very few orders.

12129a. I understand you to say that the brewers do not sell to illicit dealers here in the city. Did you sell to illicit dealers in Scott Act counties?—I could not say, but if I did I would have no hesitation in doing it.

EUGENE O'KEEFE.

12130a. Why?—To break an obnoxious law.

12131a. You say you do not sell to the illicit dealers in Toronto?—No.

12132a. But you would there?—I would, to break a most unpopular and oppressive law. In the county of Simcoe the Act which was first adopted by over three thousand majority, was afterwards repealed by over three thousand. There was more perjury there at one time than any one could believe possible. Ask any judge before whom those parties came, if there was not perjury in every case that came up.

12133a. What made that perjury? The oppressive law?—I fancy so.

12134a. Or was the perjury in the minds of the men?—I have not analyzed it sufficiently to say. All I know is that the law produced these effects.

12135a. Have you analyzed it sufficiently to say that the perjury was caused by the law?—I should think so. If the law was not there, the perjury would not be committed. The fact is simply this: there was more perjury than there ever was before, I suppose.

12136a. Are you sure of that?—I refer you to the judges.

12137a. Have you knowledge of that?—There are many things that I have to believe, that I never saw—that I have to take for granted. That is what they call faith.

12138a. Some men have told us that there was no more perjury in cases under the Scott Act than in cases of any other character in which men's personal interests are concerned. Would you believe that?—I do not know. All I have to tell you is this, and the records will show it—we read of it in the papers every day, and it was not contradicted—that perjury was quite a common thing in Scott Act counties, that scarcely a conviction could be obtained, and that it was shameful to see the way Christian men prostituted the oath. That was one of the outcomes of the Scott Act. Some of the very strongest supporters of the Act were the first to say afterwards: "This is a humbug, and we will vote it down."

12139a. You say these are statements made by newspapers?—Yes, and in judges reports.

12140a. Have you personal knowledge, or are you basing your statements on other people?—I have no more personal knowledge than the uncontradicted statements in the papers of judges and magistrates.

12141a. You do not attach importance to statements of the opposite character—that there was no more perjury than in other cases?—Let me answer you once and for all. I tell you that in Scott Act counties it was a noted fact that perjury to a tremendous extent was practised. You ask me if I know of that. I was not there; I have read that; judges have stated so and public men have stated so, and it is not contradicted.

12142a. Assuming that to be so, was the law responsible for that perjury, or the men who committed the perjury?—Remove the iniquitous law and the perjury would not be there.

12143a. In what respect is it iniquitous?—I say the Honourable Mr. Scott, who introduced that law, has more to answer for than I would like to answer for.

12144a. Will you tell me why you favour a strict license law?—Because I think it would be in the interest of the community.

12145a. In what way?—The morals of the people, I think, would be better conserved by having a law of that kind than by prohibition.

12146a. You think the liquor traffic affects the morals of the people?—It may to a certain extent with a certain class of people.

12147a. Is that the reason you would have a strict license law?—I would have a strict license law in the interest of the community.

12148a. How strict would you have it?—I am not prepared to say just now; some strict, sensible law that would be carried out.

12149a. Is the present license law one of that character?—I think the present license law is a very fair and reasonable law.

12150a. Do you regard with favour the prohibitions of the present license law?—I am not prepared to analyse the law. I take it as a whole, and I would accept it as a very fair law.

12151a. Do you favour the feature of the law that says the seller shall not sell after a certain hour at night or on Saturday night?—Yes. Whatever the law is I would advise the licensee to observe it strictly, and I have always enjoined that.

12152a. You think it is a good law?—I do.

12153a. Why?—Because I think it is in the interests of morality.

12154a. You think it is in the interest of morality to prohibit the trade at certain hours of the day?—I think so. I am prepared at any rate to accept that law as it is.

12155a. Do you think it would be right to have any additional restrictions?—It would be very hard to say. I could not answer that question.

12156a. You think you would be ruined if you went out of the business?—If you passed a prohibitory law my property and book debts would be valueless. I would be very seriously affected.

12157a. Have you ever thought that anybody would be ruined if the brewing business goes on?—I know that if beef and bread are to continue to be the ingredients that people diet themselves on, a great many people will die from over-eating.

12158a. That is not an answer to my question?—It is an analagous question, I consider. Of course, if people drink to excess and bring trouble on themselves they commit a sin.

12159a. You have not answered my question. My question is based on your statement to one of the Commissioners that if the brewing business were prohibited you would be simply ruined, and my question growing out of the statement is this: have you thought whether any persons will be ruined if the brewing business goes on?

THE CHAIRMAN.—Do you put it financially?

Rev. Dr. McLEOD.—I will put it financially: If the brewing business goes on, have you thought whether any person will be ruined financially?—I am a witness here to answer proper questions. These little crooked questions are nothing. If you ask me a fair question I will answer it. What is your question?

12160a. You know the question; will you answer it: have you thought whether any person will be ruined if the brewing business goes on?—I have never given any thought to that. I do not know that they would. I do not know any person who has been ruined by the brewing business. I have known people who have been ruined by drinking strong stimulants.

By Mr. Gigault:

12161a. What price are you paying for your barley?—I will give you an average price each year for the last ten years: In 1883-84, 66·85 cents a bushel; in 1884-85, 60·62 cents; in 1885-86, 60·08½ cents; in 1886-87, 77 cents; in 1888-89, 64·25 cents; in 1889-90, 44·75 cents; in 1890-91, 54·22 cents; in 1891-92, 52·25 cents; and in 1892-93, 46·40 cents.

12162a. You said you were selling a good deal of lager beer in Montreal. Where is the duty paid on that lager beer?—In Toronto.

12163a. Can you give us the years during which the larger number of counties were under the Scott Act?—I do not remember that.

12164a. Would your establishment lose half its value if prohibition were adopted?—I should think much more. Our plant would be useless, as well as the enormous quantity of barrels and kegs we have on hand.

12165a. Would it be about three-fourths?—It might. Then, it is a fair assumption that we would lose our book debts and bills receivable. If the people's business is stopped, they have no means to pay their debts. A measure of that kind would be most disastrous, and would bring widespread misery.

12166a. Do you believe all moderate drinkers become drunkards?—Most decidedly not. I am a moderate drinker myself, but not a drunkard, thank God. I would be very sorry to say that.

12167a. Do you think there are ten moderate to each immoderate drinker; I should say more than that. Nearly every one drinks in moderation. We see the drunkards as a rule; they cannot keep in doors; they expose themselves.

EUGENE O'KEEFE.

By the Chairman :

12168a. From an answer that you made to a question of my colleague Mr. Gigault, I conclude that you think your loss, in case the traffic were put an end to by a prohibitory measure, would be much greater than would be represented by the depreciation of your plant and property?—Most decidedly so.

12169a. You would have a large quantity of bad debts on your books?—Yes.

12170a. You spoke of having filled orders from Scott Act counties while the Scott Act was in force?—To a very limited extent.

12171a. I will ask you—I will not press the question if you do not care to answer it—were they the orders of persons who had previously been in the trade, or the orders of private individuals who had a perfect right to import?—We did so little in the country in those sections that I can scarcely remember now. But I will say that if orders came from private parties or from those who had been in the business and were put out of it without any cause, as I consider, we would not hesitate to supply them, because I think they were unjustly treated.

12172a. Of course, the private individual had a perfect right to purchase liquor outside the county in which he was living?—Certainly. If you allow me to make a statement. I heard you state that you got it from the brewers in the country that they had done a much larger business during the Scott Act period than formerly. I think I can explain that. If we shipped from the city here, it would have to be taken from the cars and delivered in wagons, and would therefore be exposed to public view, and the party receiving it would be liable to be informed upon. In the other case, when it is got from a local brewer, it can be delivered at night and in other ways so as not to be seen. That is the way I would account for it.

By Rev. Dr. McLeod :

12173a. Do you think the additional duty on beer an unjust thing?—I think it is a most unjust and iniquitous thing.

12174a. Then why do you submit to it?—What can we do? Do you want us to shut our place up and discontinue our business?

12175a. Would you avoid it if you could?—We are sworn to do our duty, and even if the Government did not require us to take the oath, we would not to the extent of a single copper, cheat them. I am on my oath, and I say that.

12176a. What is the difference between the violation of that law and the violation of the Scott Act. If one is justifiable is the other?—In the one case I consider that we ought to submit to what the Government put on us, though I do not think they acted wisely, to say the least of it; but then I look on the other as an interference with public rights and as a most iniquitous measure that was not carried by a majority of the electorate.

12177a. I wanted to find out from you if the law in one case is different from the law in the other case?—I do consider them different. I would disregard an unjust law at any time. I would evade it.

12178a. That is an answer to my question; Mr. O'Keefe would disregard this law if he could?—What law.

12179a. The additional duty?—I said nothing of the sort. I consider that the Scott Act was an Act forced upon us; we never accepted it, and it was an unjust act. In the other case we have to submit to the law or go out of business, or perjure ourselves.

12180a. You say you would justify the violation of an unjust law at any time?—I say it is good theology to say that a person would be justified in doing so.

By Mr. Gigault :

12181a. Do you mean that if you had been called as a witness in a case for the violation of the Scott Act, you would have perjured yourself?—No, not if my evidence were to put my father in jail for seven years, I would swear to the truth.

ROBERT JAFFRAY, on being duly sworn, deposed as follows:—

By the Chairman :

12182a. I understand that you have retired from active business in Toronto?—Yes.

12183a. Are you a member of the Board of Trade?—Yes.

12184a. I understand that you are connected with several public companies in the city?—Yes.

12185a. Have you any objection to mention them?—I am a member of the Council of the Board of Trade, and have been for many years. I am a director of the Imperial Bank; a director of the Toronto General Trusts Company; President of the Land Security Company; President of the Central Canada Loan and Savings Company, and President of the "Globe" Printing Company.

12186a. You have taken so much interest in public affairs and in questions of the kind that we are investigating, that I invite you to make a statement of your views to the Commission?—I may just say that I have always been, and I was when I was connected with the business, favourable to the advancement of temperance, believing it to be in the interest of the community to advance temperance sentiment; and that I would be favourable to prohibition did I consider that the time and circumstances and conditions would admit of it being successfully enforced; but I think that prohibition at the present time would be premature; and instead of assisting the temperance cause would probably be detrimental to it. I have a very strong opinion that any legislation which is in advance of public sentiment and of a sentiment that would be sufficient to enforce such legislation, would not be beneficial. I think the best course is to go on with the process of education that is now so active. I believe that progress is being made in that direction, and I believe it is desirable that that progress should be maintained, and that the temperance people should be particularly careful that they do not put legislation on the Statute-book which would be ahead of public sentiment and which they probably would not be able to have properly enforced. Considering our geographical position, our mixed population, and many other things, it would be very difficult indeed to enforce prohibition in Canada, even with a much stronger public sentiment than there now is in favour of it.

12187a. From your remarks I gather that you think progress has been made in the direction of the promotion of temperance, of late years?—That is my impression.

12188a. Do you speak with reference to the city, the province, or the Dominion generally?—I think that with regard to this province there is no doubt that temperance has advanced, and I have the same impression of the Dominion generally, though my acquaintance with it is not wide enough to enable me to speak of it with the same confidence as I do of the province.

12189a. Do you think the changes which have been made in the law from time to time have contributed to that result?—I think the license law of Ontario has certainly done so.

12190a. You think that the reduction of the number of licenses in the city of Toronto, for instance, has had a beneficial effect?—I think so.

12191a. Do you attribute any considerable portion of the improvement to the efforts of the temperance societies, the churches, and the other means which have been used to persuade the people to be temperate?—Yes, I think these have all had a beneficial effect.

By Judge McDonald :

12192a. In case a prohibitory law were passed, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—That would depend very much on whether it was to come into force immediately or not. If it were to come on in any way suddenly, I think they should. They have acted under a license from the government; and while that license is from year to year, there is no one of them—nor would the government have expected it—who would have gone to the expenditure that they have gone to if they had not the idea that the license would be continued—in fact, had a certainty that it would be continued.

ROBERT JAFFRAY.

12193a. I understand from what you have said that you have found what is commonly called the Crooks Act, and the amendments made to it from time to time have worked beneficially in the interests of the community?—I think so.

12194a. Can you suggest any amendments to that law that you think would be of advantage? For instance, it has been suggested in some sections that in the case of a man who has repeatedly broken its enactments—say as to sale on Saturday night or Sunday—after a certain number of convictions, the premises should lose the license as well as the individual?—I think that in fairness to the owner of the premises, that is where there is a lease, some provision would need to be made to take the responsibility of the lease from him, otherwise he might be placed in a very unsatisfactory position.

12195a. It has been suggested that if the law once took that shape, the owner would protect himself in the lease by providing that when that number of convictions was reached, the lease should terminate?—If there were some such protection for the owner of the property, I think it would be a very desirable amendment.

12196a. I suppose your business would hardly be such as to enable you to say whether you believe there is much illicit sale in the city?—I have had a good deal of opportunity of knowing about it, and I think there is very much less than there used to be. I heard Mr. O'Keefe's evidence on that point, and I think the brewers have come to the conclusion that it is not in their interest to allow of illicit sale, and that they are anxious to stop it as far as they possibly can. I think that as a matter of business interest, altogether independent of the temperance question, they want to make their business respectable, and consequently they have added their influence to that of the Inspectors and Commissioners, so that there has been a very considerable restriction of the illicit traffic.

12197a. Do you believe the change in the law which removed the granting of licenses from the municipalities to Boards of License Commissioners was an advantage?—Decidedly.

12198a. The question was raised here the other day whether it would be better to transfer the issue of licenses to the Police Commissioners; have you considered that?—No; I have not. I have an opinion that our License Commissioners here have acted very well—that, while there might be improvements, there is scarcely any public body who have discharged their duties more faithfully.

12199a. Have you noticed whether the administration of law has had the effect of weeding out the less desirable men who were formerly in the traffic?—I think it has to a large extent. It has improved the premises in which the business is carried on. The restrictions in the law requiring certain accommodation have a beneficial effect, and also the difficulty that licensees have had of getting their licenses renewed when they have been in the habit of breaking the law.

12200a. Have you yourself had experience of the working of a prohibitory law?—No; I cannot say that I have.

By Rev. Dr. McLeod:

12201a. You spoke about public sentiment: what is your idea of the better way of ascertaining public sentiment on this question?—It is all the time being expressed in elections, in conventions and meetings, and in many other ways. I think it is not difficult to see that a great many people take a great deal more interest in this question than they used to.

12202a. You spoke about its being unwise to enact a prohibitory law until public sentiment was very strongly in favour of it, and what I thought to get from you was an opinion as to the way in which that public sentiment might express itself?—Of course, a vote might be taken—a plebiscite; but I do not know that that is altogether a fair expression of public opinion, because we find both temperance people and other people who will take very little interest in it, and will not record their opinions, and it is only the very active on one side or the other who will be likely to take part in it.

12203a. For instance, Manitoba had a plebiscite and gave quite a substantial majority in favour of prohibition. Would you regard that as indicating the ripeness of Manitoba for prohibition?—I would want to be there and know the circumstances under which the vote was taken before I would give an opinion.

12204a. But you incline to the belief that when the public sentiment of the whole country is strong enough, then a prohibitory law is a desirable thing?—There is something also in our geographical position. The question of smuggling and illicit dealing comes into the question, and I think the action of the United States will always have a considerable effect upon the question of a prohibitory law being carried out satisfactorily in this country.

12205a. Continental prohibition, you think, would be more easily enforced than Canadian or United States prohibition alone?—Yes.

12206a. Aside from that altogether, you have been in business for a number of years; during that time have you observed whether the liquor traffic as it is carried on has any effect on other branches of business?—I do not quite understand the bearing of your question.

12207a. Whether the liquor traffic interferes with other branches of business?—If a man becomes dissipated, he certainly is not as good a citizen, and is not as good a man to credit.

12208a. Is the liquor traffic in any degree responsible for that man?—Over indulgence in liquor is certainly an evil; I have no question as to that. I think it deteriorates a man.

12209a. Then the question is: is there any relation between that indulgence in liquor and the liquor traffic as it is established and carried on?—If a man could not get liquor he could not drink it, and I think there is a relation between the one and the other. I think that is so manifest that the question need not be asked.

12210a. My first question was intended to be of a broader character; perhaps I can make it clearer: you have observed that the liquor business is a detriment to other branches of business or industry—does the prosperity of the liquor business make less prosperous the grocery business, the dry goods business, or the business of manufacturing any kind of necessaries or comforts?—I think the liquor business, the consumption of liquor, is not favourable to economy. I think if we had less of it we would be more economical; people would have more money to expend, if they chose to expend it, for other things.

12211a. Then is it a fact that in so far as the liquor business prospers other businesses feel the effects of that prosperity injuriously?—I think so to a certain extent.

12212a. As connected with a Loan Association, have you noticed whether the establishment of a saloon affects the value of other property in proximity to it?—If it is simply a saloon, I think it is rather detrimental.

12213a. Does the carrying on of a liquor business depreciate the value of property in its vicinity?—If it is a respectable hotel, I do not think it does.

12214a. But carried on otherwise than in a hotel, do you think it does?—I do not think it does except in a saloon proper.

12215a. Do you know whether insurance companies exact larger rates or make any exceptions in the case of properties in which the liquor business is carried on?—I am a director of an insurance company, but I am not sufficiently acquainted with the details of the business to be able to answer the question satisfactorily.

12216a. Have you noticed what effect the liquor has on industrial interests—large manufacturing establishments; on the employees, for instance?—I would say that an employee who is understood to be a temperate man is always preferred to one who is not steady.

12217a. You are the President of the *Globe* Publishing Company: do you have to do with the employment of men?—No.

12218a. Even indirectly?—No. The heads of the departments are responsible for that.

12219a. Do you know whether there is any rule in the establishment with regard to the employment of men, as to whether they should be temperate or otherwise?—I do not think there is.

12220a. But you know that generally the preference is given to the man who does not drink?—We would not have any but sober men who could attend to their business. They must be temperate.

ROBERT JAFFRAY.

By Judge McDonald :

12221a. What do you mean by temperate? Do you mean total abstainers?—No, there is no such rule as that they shall be total abstainers.

By Rev. Dr. McLeod :

12222a. You say there is no rule at all in the establishment?—If a man is given to liquor so that he is not able to attend to his duty, he will soon find himself out of the establishment.

12223a. Have you noticed what effect the liquor business has on the morals of the community?—I think it is admitted that over-indulgence in liquor has not a good moral effect. I think that is already answered when I say that I favour restriction of the traffic, and prohibition under circumstances that would admit of its being properly carried out.

By Mr. Gigault :

12224a. Is Toronto very orderly on Sundays?—Yes.

12225a. Do you think the provisions of the license law help in maintaining order on Sundays?—I think they do.

REV. ARTHUR H. BALDWIN, on being duly sworn, deposed as follows :

By Judge McDonald :

12226a. You reside in Toronto?—Yes.

12227a. You are a Clerk in Holy Orders in the Church of England?—Yes.

12228a. Rector of All Saints' Church, Toronto?—Yes.

12229a. How long have you resided in Toronto?—I came here in 1850, but I have not been here the whole time.

12230a. How long have you been rector of All Saints' Church?—Over twenty-one years.

12231a. Speaking as a clergyman, do you find that intemperance and intemperate habits are the cause of much distress and poverty in families?—Yes, certainly, there is a great deal through that as well as through other causes.

12232a. What other causes do you find?—God made man male and female, and they abuse this fact just about as much as they do other things. Lust is just about as injurious as intemperance.

12233a. Do you find that idleness has something to do with it?—A great deal. As the old hymn says, the devil finds mischief for idle hands to do.

12234a. An old governor of one of the Ontario jails stated to us that in looking into the causes that had brought prisoners to that jail, he found them to be mainly three, classified in this order: idleness, intemperance, sensuality. How would that accord with your experience as a clergyman of the causes of the evils and troubles you find among the people?—I think that would be very correct; but if you look at the records of the Police Court, I think you will find that sensuality is very close to intemperance.

12235a. Speaking as a citizen and also as a clergyman, do you find that there has been in the last few years a large growth of temperance sentiment and temperance habit in the community?—I think so decidedly.

12236a. Do you find it growing constantly?—Yes.

12237a. To what do you attribute it?—I think to the teaching of children to be temperate and to be total abstainers. I think the efforts that have been made in that direction have done a great deal of good.

12238a. Do you believe that the influence of the various religious communities and the temperance societies has been beneficial in that respect?—Most decidedly.

12239a. Have you noticed that since your residence in Toronto the number of licensed places has been from time to time diminished?—Yes.

12240a. Do you think that has had a beneficial effect?—I think that is very useful indeed, and also high license, and I think there should be better inspection.

12241a. You think there should be an inspection of the liquors sold?—Yes. I think a great deal of the trouble is not only owing to liquors, but to drugs.

12242a. Have you had any experience of the working of a prohibitory law?—Yes, I have seen a good deal of a prohibitory law.

12243a. Where?—In the State of Maine, and also in a portion of Chicago.

12244a. How did you find things in the State of Maine?—I thought it was a great curse.

12245a. In what way?—It made people drunkards, and made them hypocrites and sneaks.

12246a. In what part of Chicago had you experience?—There is a quarter that they call the prohibition quarter, where I saw liquor sold without any hesitation. In the same way you find people here state that they are in favour of prohibition, while they have liquor in their own houses. In Portland there are open bars running; I have been through Maine and Massachusetts a great deal, and know a good deal about it. I was at the Chicago fair when there were some 713,600 people on the grounds, and I did not see one drunken person during the whole day; but I have seldom gone into Portland under prohibition without seeing one or more drunkards.

12247a. Are you yourself favourable to the enactment of a prohibitory law for the Dominion, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—Under no circumstances whatever. I believe it would be a great curse to the country in every way.

12248a. In case of the enactment of such a law, would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless? Certainly, to enable them to leave the country.

12249a. Is there any statement you wish to make on this question?—Well, I feel very strongly on the subject of prohibition. I do not think you will ever get your end by prohibition; if I thought you would, I would vote for it. I want to see people temperate, and I would be very glad to see them total abstainers; but when you consider that it is impossible to carry it out, when you know that a great many of those people who are opposed to liquor use it themselves—if grippe comes they use it, if consumption comes they use it, and it is astonishing how often these people suffer pains that others have not got and want liquor—when you know that people are dishonest and know that prohibition helps to make them dishonest, I think you are bound to vote against any such measure. If I thought it would be a blessing to the country, I would vote for it with all my heart; but I think we shall gain our end rather by high licenses and by the efforts of those societies for the cultivation in the people of moderate habits and total abstinence habits.

12250a. What is the position of the Church of England with reference to what is to be used in the Holy Communion?—I know of nothing but wine, until they give up religion altogether.

12251a. By wine you mean the fermented article?—Certainly.

12252a. You do not mean mere syrup?—No, nor molasses or anything of that kind.

By Rev. Dr. McLeod:

12253a. Do you mean the wine that is ordinarily sold, or do you mean the fruit of the vine?—I mean what is sold and what used to be sold fifty years ago as wine in the Lower Province—Colli wine from Spain. It is only within a few years that we have heard of molasses being used for wine.

12254a. It is said that a great deal of the wine has never been approached by grapes?—We know that; and if you could have pure wine and more lager beer in the country, you would have this country in a much better state than it is now.

12255a. You think the encouragement of lager beer and light wines?—Would be very beneficial. On the continent you can travel as much as you like in Germany and France, and you scarcely see any drunkenness.

Rev. ARTHUR H. BALDWIN.

12256a. You think their use would gradually diminish the use of the stronger alcoholic drinks?—Certainly. There are a great many people who use liquor and will get it somewhere. One cannot shut his eyes to the fact. The pure German beer is a very light beer. I have seen little children use it, and it did not seem to hurt them.

12257a. Is that similar to the beer used here?—The lager beer here is much stronger.

12258a. Will you state what in your view are the peculiar advantages of high license as distinguished from low license?—I think it would make the liquor sellers more particular to whom they sold. If a man went in who appeared to be under the influence of liquor, it would prevent them selling liquor to him, because if they did they would lose their license, whether it was two thousand dollars or five thousand.

12259a. Some people argue that when a man has to pay a high license he does all the business he can in order to be able to pay it?—It can be easily provided that if a man breaks the law, his license will be at once taken away from him. No man is going to risk that.

12260a. The law now prohibits the sale to intoxicated persons?—I believe it does, but I do not know how far that is carried out.

12261a. You think it would be well to prohibit sale to intoxicated persons?—Yes.

12262a. But you think it should not be prohibited to them before they reach that stage?—I do not think it is possible.

12263a. Do you think, if it is possible to have a prohibitory law well enforced, that any good would result from it?—No.

12264a. Not if it were well enforced?—I don't think so.

12265a. As a pastor I suppose you come into contact with a great many families and have a knowledge of their condition. Have you observed whether the drink habit and traffic is responsible in any degree for neglect of children and neglect generally?—Amongst other things, certainly.

12266a. Is there any other one thing that is so largely responsible?—Yes, selfishness; and, as I said before, impurity interferes with families and leads to deficiencies and the neglect of children.

12267a. To as large an extent as the other?—I think very nearly. God has made us male and female, and you cannot prohibit that unless you prohibit children.

12268a. I do not quite see the point?—I mean to say on the principle of prohibition you might as well do away with the relation between male and female as vote prohibition because it might lead to some harm. But we are in a world full of trials, and we are intended to fight a battle here. We are made male and female, with these passions and lusts, which lead to sin as well as other things; and the only way to carry out prohibition in that respect would be to destroy children as soon as they are born.

12269a. Do you think that in all these things to which you have referred there is any one thing that in so large a degree creates domestic misery, causes parents to neglect their children and causes an indifference to religious influences and teaching, as does the drink traffic and the drink habit?—I suppose it is largely responsible, certainly for a great deal.

12270a. And you think that in so far as the trade can be restricted it ought to be restricted?—I would not go so far as the prohibition because I think that would make more people drink than do at present. I think the Scott Act made more people drink than did before.

12271a. But you think the trade ought to be restricted in the interest of morality?—I think so, by high license, so that the working class would not spend so much of their wages in that way. I think the great curse of this thing is the treating habit.

12272a. Then you would abolish the saloon?—I would be glad to see it done away.

12273a. What about the hotel bar?—I think that when people are travelling they sometimes require liquors.

12274a. I am not referring to the supply of liquor to hotel guests; I mean the hotel bar?—I think that might be done away with to advantage.

12275a. Have you ever given any consideration to the Gothenburg system of governmental control of the trade?—No, I have not.

F. C. CRIBBEN, on being duly sworn, deposed as follows :—

By the Chairman :

12276a. What is your occupation or business ?—Shoemaker.

12277a. How long have you lived in Toronto ?—About nine or ten years.

12278a. Where did you come from to Toronto ?—From England.

12279a. Are you connected with any of the labour organizations of the city ?—Yes, I am a member of the Trades and Labour Council of Toronto.

12280a. Can you tell us how many members there are in the organization ?—It represents between four and five thousand members. It is the representative body of the different organizations in the city, and is made up of delegates from them. These different organizations number about that many.

12281a. What are its broad objects ?—The principal object of the Trades Council is to discuss municipal affairs and any question likely to affect or benefit the working classes.

12282a. Do the members pay a regular subscription ?—They do in the various unions ; but they pay a capitation in the unions for the support of that body.

12283a. I suppose the Council meets regularly ?—Twice a month.

12284a. Do you make any efforts to inculcate temperance or entire abstinence views upon the members ?—We do nothing in that direction, but I believe that amongst the members there is a strong sentiment in favour of the temperance movement.

12285a. And do you consider that the organization promotes temperance ?—Oh, I think so.

12286a. Do you issue any literature bearing upon the subject at all ?—No.

12287a. Then in what way do you think the organization promotes temperance among its members ?—By keeping them together it makes better citizens of them, and it educates them in various ways. The members of labour organizations are better men after they have been in a year or two than they were before they came in.

12288a. Can you speak here for the Trades and Labour Council ?—Not officially.

12289a. Do you express your own individual opinion only on these matters ?—Just my own opinion. Of course I am acquainted with a lot of them.

12290a. Do you think a majority of them are in favour of the passage of a prohibitory law ?—I hardly think they would go that length. They are favourable to prohibition and would go a long way in that direction, but whether they would go for total prohibition I would hardly like to say. I find, in speaking to many of them, that the saloon seems to be the part of the liquor business that they do not like. The treating system, especially among those who are moderate drinkers, has a bad effect. They will go in to get a glass of beer, and will perhaps meet a number of others in the saloon, and the result will be that they will spend more and take more than they ought to.

12291a. Although they patronize the saloon, you think they would favour its being abolished ?—I do not think the majority of them patronize the saloon. I know many who do not go into them at all.

12292a. Do you think the majority of them would be glad to see the saloon abolished altogether ?—I would not like to say that, but the majority of those I have spoken to on the subject. They have of course never given any official expression of opinion on the matter ; but I am sure the majority would be favourable to greater restriction than there is now on the liquor traffic. My own personal opinion is that the saloon and bar should be abolished, and the production and distribution of liquor placed under State control.

12293a. Do you think that view is entertained by any very large number of members of your union ?—Quite a number of them that I know. Of course it is hard to speak for the majority on a question like that unless you take a plebiscite. I know there are some of them who are strongly in favour of that idea.

12294a. There has been a large reduction in the number of licensed places in the city of Toronto ; do you think that an advantage ?—Oh, I think so.

12295a. Do you think the majority of the members of your union believe that is an advantage ?—I rather think they do.

F. C. CRIBBEN.

12296a. You say you have lived here for about ten years. From your observation, is there more or less intemperance now than there was when you came here?—I should say that there is less intemperance now.

By Judge McDonald:

12297a. I suppose you worked at your trade in England?—Yes.

12298a. Taking the state of things as it was in England when you left there and the state of things as it is in this province, in which do you find the greater amount of drunkenness?—In England when I was there.

12299a. You find a great advantage in Canada in favour of temperance?—I was living in London the latter part of the time I was there, and I found that the larger the city the more drunkenness there was.

12300a. Did you live in other cities in England?—Yes, but it is too long ago for me to remember.

12301a. Taking the city of London and the city of Toronto, would the advantage be in favour of Toronto?—Oh, yes. One thing that I noticed particularly, on coming here, was the closing on Saturday night at seven o'clock. I thought that was a great improvement.

12302a. And closing on Sunday too?—Yes.

12303a. I suppose that in England on Sunday, people can go with jugs in the middle of the day and get liquor?—Yes, at dinner time and after.

12304a. So you think it is a great advantage to close the liquor places on Saturday night and keep them closed till Monday morning?—Yes.

12305a. As a man connected with labour organizations, and from your experience as a workman, have you noticed that there is a great deal of loss of time and loss of money occasioned by intemperate habits among workmen?—Yes, I think there is quite a bit of that. Take a factory, for instance, where there is a great division of labour, and where it is easy to put men at work. A man who is working at a particular machine perhaps wants to go off. I do not say it is the drinking that is to blame. It is hard work often that runs a man down and causes him to go out and drink. When he quits work, there are half-a-dozen others that have to quit though they do not want to. Take another branch where it is easy to put a man to work; if any man quits work another man comes along and takes his place, and after he gets started the man who is out drinking will not of course be put back. The consequence is that when a slack time comes, there are more men than there is work for, and it has to be divided up among all hands, and the steady man has to suffer with the man who drinks. If you follow that a little further, you find that the man who is drinking does not take home enough to keep the house running; consequently, the wife and children have to be sent to work when they should be at home or at school. Their being in the labour market tends to compel the steady man to send his children to work also when they should be at school.

12306a. The intemperate habits of these men lead to these results, you think?—Yes, I think they lead to them all right.

12307a. Do you think it is better, in the interests of workmen, that places where liquor is sold should not be permitted in the neighbourhood of factories?—That does not make any difference. A man who wants a drink will find it somewhere.

12308a. We have been told by some manufacturers that the temptation is greater to the men than it would be if the places were farther off?—I should think it would be too. They would be more apt to drop in and get a drink than they would be if it was not there.

12309a. Do you yourself favour the enactment of a prohibitory law for the Dominion prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes?—Personally I do; but as an act of public policy I do not think it would be wise or in the interest of temperance to enact such a law.

12310a. Why?—Because the liquor traffic has been in existence so many years, and any movement in the direction of prohibition is regarded by some people as an infringement upon their personal rights. And again, apart from those who drink to excess, we have the moderate drinkers to contend with, a lot of well meaning people who would go a long way in the direction of prohibiting the liquor traffic, but would hesitate

support prohibition. These are the reasons I have for favouring state control of the traffic.

12311a. Have you read of the system in Norway and Sweden?—I have not read it, but I know they have a system of state control there.

12312a. A part of the system is to remove from the men who sell all personal interest in the profits, to endeavour to secure as pure liquors as possible being sold, and in every way to throw about the traffic as many restrictions as possible. It is such a system as that you favour?—Yes, some such system.

12313a. In case a prohibitory law were enacted in Canada that would prevent the manufacture of intoxicating drinks; would you deem it right that brewers and distillers should be remunerated for plant and machinery rendered useless?—I do not think so, because the liquor traffic is not in my opinion a vested right. It is merely a privilege granted by the people, and if the people choose to withdraw that privilege through their government I think they have a perfect right to do so.

12314a. Is the manufacture of liquor only a privilege granted?—That is the way I look at it.

12315a. We understand that the law requires brewers and distillers to put into their works certain plant and machinery?—You could just amend that law by getting them to take it out again.

12316a. In the meantime there has been an expenditure of capital in putting these things in under the requirements of the government. I would ask whether your remark would apply to plant and machinery put in in that way, or whether you would consider it right that they should be remunerated for them?—I certainly would not give any compensation; but I would allow a little time before the law was put in force, so as to give them a chance.

12317a. Is there any other statement you would like to make yourself?—I would just like to make myself clear. I do not think the liquor is the cause of all the poverty some of our friends think. I think poverty causes a great deal of drinking. The physical and mental strain of working so many hours, and the want of sufficient backbone to stand out against the temptations, causes many men to drink. I think if we abolished poverty there would not be much trouble with the liquor traffic afterwards.

12318a. You have said that the influence of the trades organizations among the tradesmen has had the effect of improving their ideas and their life in their homes to some extent. Do you believe that as the comfort of the home increases, the temptation becomes less?—Oh, yes; I think that is so.

12319a. And that as there is improvement along that line in the conditions of the men who work, there may also be looked for an improvement in their drinking habits?—The fact of men having better homes and that shows that they are working fewer hours than they used to; and the man not having so great a strain on him gets more time for recreation and reading.

12320a. I suppose that you consider that the establishment of free libraries and reading-rooms also produces an effect in the same direction?—Yes.

By the Chairman:

12321a. Do you think that the provision of parks for recreation and amusement has some tendency to draw the working classes away from saloons and from intemperance?—It tends to elevate them, no doubt.

12322a. You think it is beneficial to them?—Oh, yes.

12323a. I did not ask you whether you were working in some establishment?—Yes, I work in a factory.

12324a. Not on your own account?—No.

12325a. Do you think the wives of workingmen as a rule are as well instructed in the matter of cooking and domestic duties as they might be?—I could not say about that.

12326a. Do you think the comforts of the home are greatly increased by those duties being carefully and well attended to?—I should say so.

F. C. CRIBBEN.

12327a. They have an important influence on the habits of workmen?—Yes. If a workman or any other man has a careless wife, he does not feel like staying in the house.

12328a. I refer to this because there have been attempts made in Canada to establish schools of cooking for instructing women in the art of cooking and in household duties, and I am afraid they have not always been very successful?—They have generally gone in for teaching fancy things that do not interest the majority of people.

12329a. Do you attach any importance to these things?—Not a very great deal. I think the mistake rests with the mothers; they are too impatient with their daughters; they won't bother teaching them; they would rather do the work themselves.

12330a. Do you think then that the daughters do not learn these duties?—Many of them do not. I do not know that I would be justified in saying that the majority of them do not. I could not speak for anything of that kind.

12331a. Have you anything further you would like to say?—No; I think not.

ROBERT SEWELL, on being duly sworn, deposed as follows:

By Judge McDonald:

12332a. You reside in Toronto?—Yes.

12333a. How long have you resided here?—Thirty-seven years.

12334a. Are you engaged in business?—I am Secretary of the Toronto Brewing and Malting Company.

12335a. How long has that business been carried on in Toronto?—By the present company about eleven years.

12336a. Was it originally carried on under the name of an individual?—No; it has been always under the same name. It was formerly, I believe, the Aldwell Brewery.

12337a. Can you give us a statement of the output of the brewery for the last few years?—I can give you a statement of the quantity of barley we have purchased during the last ten years.

12338a. How much was it?—About 650,000 bushels.

12339a. Can you give us a statement of the output of liquor?—No; I have not brought that with me.

12340a. What kind of liquors are made there?—Beer and porter.

12341a. Do you make any lager beer?—No.

12342a. It has always been beer and porter?—Always.

12343a. Do you sell throughout Ontario generally?—Yes.

12344a. Do you sell in any other province than Ontario?—Quebec.

12345a. What part of Quebec?—Quebec city and Montreal.

12346a. Do you send any to the North-west?—We have sent there, but not lately.

12347a. Another brewer has told us that he used to send to the North-west, but does not now. What has caused the change in that respect?—As far as we are concerned, we did not look after it, but let it slip away from us.

12348a. Is it owing at all to the brewing business being carried on in Winnipeg?—No. There was a brewery there when we opened the business; but we did not deem it advisable, and did not carry it on.

12349a. Do you send out travellers?—Yes.

12350a. We would like to have a statement of your output?—It would be very difficult, for the simple reason that we are large maltsters as well as brewers. We send large quantities of malt to Cobourg, Montreal, Sherbrooke, St. John and Halifax. I will try and get a statement for the last ten years, and send it to you.

12351a. Can you tell us the number of men employed by your company?—We have all the year round while brewing fifty-one men; and while malting, that is for about five months, we have sixteen extra; that makes sixty-seven altogether.

12352a. Do you make your own barrels?—No. We employ a cooper to keep them in order.

12353a. Do you buy them in Ontario?—Yes, always.

12354a. Do you use hops?—Yes.

12355a. Do you know what quantity of hops?—No. I think Mr. Blake has all these figures prepared, and I understood he would be here; but he has gone to Montreal.

12356a. Do you find that your output has increased during the last ten years from year to year?—Oh, yes. I fancy the output of all brewers has increased.

12357a. To what do you attribute that?—I attribute it in a great measure to the fact not only during the last ten years, but during the last twenty or twenty-five years the ale brewed in Canada has been growing better in quality; to-day I think it is equal to English ale. Then the people drink more ale and less whisky, and there is not so much drunkenness.

12358a. Is there much consumption of porter?—Yes, a large quantity.

12359a. In case of the enactment of a prohibitory law preventing the manufacture of ale and porter, would the plant and machinery owned by the company with which you are connected be rendered useless?—Oh, completely.

12360a. Would there be any deterioration or loss of other property?—Of course, if a man puts up a brewery it is there as a brewery, and he cannot convert it into a church or a court house; it stands there as a brewery; it is fit for nothing else.

12361a. Have you had any experience of the working of a prohibitory law?—I have seen the working of what was called local option in Pennsylvania.

12362a. In what section of Pennsylvania?—Butler county.

12363a. What was the result?—The result was that there was a great deal more drunkenness there than in other places around, and that you could get any quantity of drink you wanted.

12364a. Is that law still in force?—I am not aware. I have not been there for several years.

12365a. Have you noticed that there has been a growth of temperance sentiment and temperance habit on the part of the people within the last few years?—I cannot say that I have. I should like to answer that question in my own way. I have lived in Toronto since 1833, and although the population is very much larger now than it was then, I am perfectly convinced there is not anything like the amount of drunkenness. I look on the Ontario farmer as a sober man, and I am convinced in my own mind—of course, I am on oath now—that it is due to the consumption of good beer and not drinking so much whisky. There are men about our brewery who never touch beer from one year to another, and who never have touched it.

12366a. Do you believe there has been a large decrease of intemperance in the last few years as the years have gone on?—I do believe it.

12367a. And do you attribute that to the greater consumption of ale?—I attribute it to the drinking of more ale and less whisky.

12368a. You think ale is a wholesome drink, I understand?—I do.

By Rev. Dr. McLeod:

12369a. Do you regard the whisky business and the beer business as at all related?—I know nothing about the whisky business.

12370a. You do not know that they have any effect on each other?—No.

12371a. Speaking of those men who work in your establishment who do not use any beer, are they users of stronger drinks?—No, they do not touch anything.

12372a. Perhaps you agree with Mr. O'Keefe, then, that an increase in the consumption of beer would make a corresponding decrease in the consumption of whisky?—I believe you cannot make people sober by legislation. I believe that encouragement of the use of good, sound beer and light wines, a strict carrying out of the license law, the total shutting down of all unlicensed houses, would

ROBERT SEWELL.

make this city as sober a city as there is in the world ; and as for the Ontario farmers, I have been a good deal among them, and they are a sober class of men.

12373a. Is the average Ontario farmer a beer drinking man ?—They do drink beer.

12374a. Quite generally ?—I think there are a great many abstainers among them ; but still as a rule they drink their beer. For instance, when we are taking in barley, perhaps from forty to sixty loads a day, while the farmers are waiting, if it is a cold day, we offer them a glass of beer. A great many say they never take it ; a great many hem and haw, and say, “ Well, it is a cold day ; perhaps I will take a glass of beer ; ” and they take a glass, but they won't take more.

12375a. Is the beer likely to have a warming effect like whisky, or is it merely a drink ?—I should suppose that if a man who has been up from two or three o'clock in the morning, and has driven twenty or thirty miles, gets a glass of beer, it will warm him.

12376a. I think, perhaps, you misapprehend my former question ; it was not about the importance or right of legislating men into sobriety, but as to whether you think the increase in the use of your product will bring about a decrease in the consumption of whisky, and so promote temperance ?—That is a very hard question to answer.

12377a. Then you have not observed whether the increased consumption of beer has been met by a corresponding decrease in the consumption of whisky ?—When you look at the large number of breweries established all over the country, and the fewer distilleries in proportion, I think you must be satisfied that the consumption of beer has been increased in a very much larger ratio than that of whisky.

12378a. You spoke about the license law and its restrictions ; you approve of the restrictions of the present license law ?—I think the license law as it stands to-day is a very good one.

12379a. Do you think there are too many or too few licensed places in Toronto ?—I do not think that there are too many. In Montreal I fancy that they have three times as many licensed places as we have here.

THE CHAIRMAN.—They have nearly four times as many.

By Rev. Dr. McLeod :

12380a. They have a thousand places in Montreal, and the chief officer says he is not surprised to hear it stated that there are three or four thousand unlicensed places ?—That is very likely. I lived a good many years in Lower Canada, and I know that the French-Canadians drink a good deal of beer. In the old times they drank high-wines diluted with water to a great extent, but now they drink more beer.

12381a. There are about four hundred and fifty places in Toronto licensed as taverns or hotels ; do you know whether the majority of them are really hotels, or whether they are simply for the sale of liquor ?—I should think the majority of these would be for the sale of liquor.

12382a. And that they simply comply with the constitutions of the law for the sake of getting a license to sell liquor ?—Yes.

12383a. Do you know whether there is much illicit sale in Toronto ?—I cannot say. I have no knowledge of my own ; I only know from hearsay, and I have no doubt there are such places.

12384a. Do you know anything about the observance of the law by the licensees ?—I think they are very strict, both in the town and country. I can give you an example. I was out shooting last week, and on Saturday night I got back to the hotel where I was stopping, wet through, and asked the hotel-keeper for a little brandy and water. He said he could not give me a drop until Monday morning, and he did not. He could have given it with perfect safety, for I have been going to this hotel for twenty years, but he would not.

By Mr. Gigault :

12385a. About what is the value of your establishment and plant ?—About \$300,000.

12386a. If we had a prohibitory law do you believe you would lose three-fourths of the value of that establishment?—Fully. What could we do with all the bottles, casks and barrels? What could we do with all our plant? It would be useless, and the building itself would be worthless.

By Rev. Dr. McLeod :

12387a. You speak of the bottles. Are they a very large item?—Yes.

12388a. Made where?—Principally in Germany.

12389a. So that the money for them goes out of the country?—Goes out of the country.

12390a. Where do you buy your hops chiefly?—We buy hops all over the world—in Bavaria, in Germany, in England, in the United States, and in Canada.

12391a. Where do you buy the largest quantity?—The largest quantity are Canadian hops.

12392a. Has that always been so?—Yes, as far as I know.

12393a. And your barley?—It is all Canadian, every pound of it. It is the best we can get.

By the Chairman :

12394a. Was your business at all affected by the passage of the by-laws putting in force the Scott Act in various counties in Ontario?—I cannot say that it was.

12395a. Did it interfere with it in any way?—I do not think it did, to my present recollection.

12396a. Had you a trade with those counties before the passage of the Act?—Yes.

12397a. And it continued?—Yes.

By Rev. Dr. McLeod :

12398a. Did you have to ship in any different form into those counties?—No.

12399a. I think we had the statement from one gentleman that it was shipped in flour barrels, and that the card of the company was not on the barrel?—My recollection is that we shipped as usual. Sometimes people prefer having bottled ale shipped in barrels—three or four dozen in a barrel. I think we shipped in about the usual way.

12400a. Was there any increase or decrease that you remember?—I do not think there was.

12401a. Was your business large in those counties prior to the Scott Act?—No, not very large.

12402a. Was the liquor shipped to persons for sale or to private parties for family use?—A good deal to private parties, some for sale.

The Commission adjourned.