COLONIAL LEGISLATURE.

WEDNESDAY, April 4.

DEBATE ON THE TEMPERANCE PETITIONS. HOUSE IN COMMITTEE.

(Continued from Haszard's Gazette of April 7.)

Mr. WHELAN thought the resolution (Mr. Cooper's) did not go far enough, he did not deny the truth of the proposition, but the conclusions were not borne out by fact. He did not think the petition was a representation of the popular feeling, it was signed by a large number of females and boys, and taken altogether, was but a small minority, and did not furnish the House with a sufficient reason for the passing a Maine Liquor Law. It would be an infringement of the general liberty of the subject to pass such a Law, and they had no right to do so, because a fraction of the people had petitioned for it. He would admit, that drunkenness was a serious evil and caused much distress in the community, but was that a reason, that because a fraction of the people were unable to restrain themselves, that the House should be called upon to prohibit the use of liquor altogether; were all to be placed on the level with brute beasts, because a few people chose to make beasts of themselves? the majority are not drunkards, are the liberties of the people to be taken from them because a minority think they ought to have a Maine Liquor Law passed? He thought that entirely contrary to the spirit of British Legislation. There would be a great loss entailed on the Revenue, and the movers in this measure have not pointed out a means to supply this deficiency; they say indeed, that articles such as tea, coffee, cotton, &c., would be more used, and from these articles, an increased duty would be raised; but this is merely a matter of opinion, they have shewn no proof that such would be the case. They pointed to the ponderous petition, but it cannot be said, that it contained a majority of inhabitants, besides it was signed by women and children, and even men engaged in the traffic. A man from Georgetown who had signed it had spoken to him on the subject, and said that he hoped they were not going to pass the Maine Liquor Law; he had signed the petition only to get rid of the importunity; he did not doubt, but that there were other instances of a like kind. Laws of this description have been introduced and attempted to be put in force, but he believed that they were generally found to be nugatory. Such Laws induced lying, false swearing, and all kinds of shameful rascality, in order to evade them; and he thought it would be better to have drunkenness in a mitigated state, than to have it concomitant with all these evils. He did not know, how Hon. Members would vote, but he might tell them that Nova Scotia had given the Bill the go-by, and he believed that New Brunswick had not passed it. [illegible]. But that would not convince him, that it would be practicable for this Island, nor would he give it his sanction because the State of Maine and other States celebrated for their fanaticism had thought fit to pass such a Law. He moved the following Resolution,

Resolved, That it is inexpedient to prohibit by Law the importation or sale of spiritous liquors, inasmuch as such prohibition would be a serious infringement of the private and inalienable rights of individuals and society at large—would entail an excessive loss to the revenue, to meet which no provision has been indicated, and further, inasmuch as there is no evidence before this Committee that a majority of the inhabitants of this Island desire a prohibition of the sale, manufacture or importation of spirituous liquors: nor have this Committee any sufficient reason to believe, that Prohibitory Liquor Laws have been productive of any material advantages in those parts of the United States, wherein it has been attempted to put them in practice—no part of Her Majesty's Dominions having yet imitated the example of the United States in this respect.

Mr. HAVILAND.—The State of Maine had never been celebrated for its fanaticism; he had never heard of any thing of the kiud. But even if it were, that could be no reason, for Rhode Island one of the most enlightened states and the most like Britain in its constitution, had passed a Liquor Law. The question was an important one, and one which was of vital interest to the people of the Island. It must be admitted, that intemperance is the greatest evil that any country could be cursed with, that it is the greatest destroyer of happiness, and the most wasteful consumer of its wealth. The duty of the Legislature was to make such Laws as would best tend to the welfare of the people, if they passed such a Law, would it not tend to their benefit, physically, morally and commercially? Hundreds of families now in distress would be relieved, hundreds of wives in misery would be comforted, and hundreds of children now suffering in poverty and hunger would be clothed and fed. Hon. Members laid great stress on the loss the Revenue would sustain, but was that any reason why the Legislature, was to countenance and uphold an evil prejudicial to the people? they had better run into debt, if that was the only reason, than deprive the community of the good effects of a Maine Liquor Law. He had very strong reasons to believe, that it would be the reverse, people would become better off, and more industrious, and of course more extensive consumers of useful articles. Commerce would not be liable to such fluctuations, for food would be more plenty, and less capital would be wasted. If the people of the Island were against the measure, it was strange that not one solitary petition had been sent in against it, while they had before them one so numerously signed in its favor. The Hon. Member, (Mr. Whelan) thought it was only in the new world, that such a Law had been thought of, he could tell him, that it was engaging the thoughts of the ablest statesmen in Britain, he had only that morning read a spicy article in the North British Review; that publication considers the Maine Liquor Law is not such an absurdity as people try to make it, and it gave the evidence of those most capable of judging of the evils of an unrestrained trade in selling liquor. Lord Shaftsbury has stated, that after being 16 years Chairman of the Lunacy Committee, he had ascertained, that three fifths of the cases of insanity, both in Britain and America were from the use of intoxicating drinks. The Admiral of the Mediterranean fleet, has stated that since the allowance of spirits has been reduced to one quarter of the old amount, the number of punishments has fallen more than 70 per cent. Startling as it may appear, it is the truth, that the destruction of human life and the waste of the national wealth, which must arise from this tremendous Russian War, are outrun every year by the devastation caused by national drunkenness.

Mr. WARBURTON had always been of the same opinion with regard to the Maine Liquor Law; it was a mere humbug, and it did not prevent the sale of Liquor; in an hotel in Portland, he had brandy brought him before a hundred people. If such a Law were passed, it would be a loss of over £10000 to the Revenue, and they would have to put an additional duty on some other articles to meet it. The temperance people may profess to have a great many signatures, but many have signed the petition to get rid of the importunity, and others signed it because they knew it would not pass. He had prepared the following Resolution which he read, but he would not now press it on the Committee:

Resolved, That it is inexpedient to pass any Law similar to that now in operation in the State of Maine, commonly designated the Maine Liquor Law, inasmuch as it would be an infringement of the rights and privileges of a free and enlightened people, and impossible to carry into effect, without the assistance of a force beyond the power of this Colony to procure, unless the neighbouring Colonies, British and Foreign, combine in its establishment.

Mr. CLARK considered all the arguments that had been used against the Law futile in the extreme. They had better testimony as to the working of the Law, than what the Hon. the Treasurer had given. Can we believe that the people, would year after year, vote greater numbers of Maine Law men into the offices and House of representatives, if they had not found the Law a benefit, and what were they doing? Why, every year making it more stringent. They shew, that crime has decreased, and that not one tenth of the liquor is brought in and used. If you should turn out all the drunkards in the Island, in a week's time, there would be more new ones made, and such would be the case, as long as the traffic was sanctioned and upheld. Liquor does not increase the wealth of the people. No, it destroys the very sources of Revenue and wealth. We know the money spent in liquor would be spent in other more necessary things, and ultimately the Revenue would increase, as the wealth of the country became more permanent. Some Hon. Members thought it would produce lying and false swearing, they may just as well say the same of the present Revenue Laws, he thought it would not have any worse effect. He was not actuated by the number that signed the petition, he considered that all Legislation should lead public opinion, particularly when it was for the benefit and welfare of the people, he believed that a majority of his constituents were unfavorable to the Law, but when he voted for what was just, and sound, and politic, they might turn him out, if they wished. He read the opinions of Chief Justice Taney and other eminent judges, and he thought their opinions were well deserving of Hon. Members' consideration.

MR. WIGHTMAN would not give a silent vote on the question, he did not think the day had yet arrived that the House should pass a Maine Liquor Law; when he saw a petition coming in with 20,000 or 30,000 signatures, he might be induced to vote for such a Bill, he had heard a great deal in the arguments in support of the measure and much to condemn, he did not see that the loss of the Revenue could be met without putting on a tax on necessaries, and that, he was sure would meet with great objections. The Temperance cause was a good one, and the people who advocated it had done a great deal of good, but they would require to do much more, before he would vote in favour of the (Mr. Palmer's) Resolution.

MR. LORD thought the Hon. Member who had just sat down, had stated enough to induce any person to vote in favor of a Maine Liquor Law. He could not see any better reason for supporting the measure than what they now had. The petition presented this year in support of the Law was much larger than that which was presented in favor of a Bill passed by the House last session, a much larger one than had ever been before them. He had supported it last year, and he was prepared to do so again. He had heard no person complain, not even Tavern keepers, and he had no doubt but that the Law would be a very beneficial one, when carried out. He knew that political capital had been made of the question, and much to his injury, for most of the Sons of Temperance voted against him. For all that opposition, he stood as a supporter of the measure, and he only regretted that he had not the talents requisite to argue with ability in its favor. He thought, that the Law would do away with the common use of liquor, he knew that three-fourths of the cases of assault before the Magistrates Court have been in consequence of using intoxicating liquor. He was glad to see that the Temperance people were not going to sleep, but that they were still keeping up the agitation and enlightening the minds of the people.

MR. MONTGOMERY.—The petitions were so often brought to the notice of the House, and the number of signatures had augmented every time, that he was convinced that public opinion was becoming more and more in favor of a Liquor Law. He had hitherto voted against the question, but when he found it would confer so great a benefit on the Island generally, he was now prepared to go in favor of it. Drunkenness was an evil which it was their duty as much as possible to prevent. From what had fallen from Hon. Members, he had learned, that the Maine Liquor Law had produced the happiest effects where it had been tested for a number of years, and he was willing to give it a trial here.

MR. MOONEY.—The size of the petition had brought over Mr. Montgomery. If any one wants to know his (Mr. Mooney's) opinion, they might consult Haszard's Gazette for 1852, they had not much changed since. He would support Mr. Laird's resolution if he thought the House were sincere and would go with him. Mr. Clark was a most amusing gentlemen, he would vote for the Maine Liquor Law, although most of his constituents were apposed to it. If the Sons of Temperance thought to try the popularity of the measure, they should make it the platform at the election. He had looked over the petition, and he could not find over 150 signatures that were not opposed to the present party, it was in his opinion a mere political dodge to get his friends out of office. He thought, the Maine Liquor Law was an interference with the rights of the people; while he liked a drop of liquor, he would never tamper with the rights of any man.

Mr. CLARK did not think Mr. Mooney's opinion worth a straw in any matter.

MR. COLES would not give a silent vote on the occasion. It was well known that the party opposed to him had made a great deal of Political Capital out of the Temperance Question. They went down to the Temperance Hall, and found they could effect something among the country people prejudicial to the Liberal party, and they subscribed a sovereign a piece to send Lecturers into the country districts, to do all they could to prevent the election of members on his side of the House. If the Bill passed last session, it was no reason it should pass now, but a small minority of voters had petitioned for its adoption, the greater part of them were composed of children and women, and he saw a number there, who he knew were under 16 years of age, and some respectable people had even signed the petition twice. The Maine Law was contrary to Scripture and infringed on the rights of man. The Sons of Temperance were a set of backbiters and slanderers; they were a secret society, and they went into their meetings and abused people behind their backs which they were afraid to do before them; he considered them far worse than the people they tried to malign. He might adduce arguments to shew, that the Legislature would be sinning if they passed such a Law. They wanted to make a Law to prevent brewing of any kind. Why, the old Ladies would be liable to be fined, if they made their Gooseberry Wine. He contended that the Sons of Temperance were got up for a political and religious purpose; they wanted to exclude a certain class of people from the Government, as they had been trying to do in the United States. They were identified with the Know Nothings. What did the fanatics do in the State of Maine? they tarred and feathered a Catholic Priest who had come among them. Yes, and they would do the same thing here, if they had the power. The head of the order was a Know Nothing, and the Governor of New York was elected by the Know Nothings. Mr. Clark did not get in through the Temperance people. He was surprised to see men led astray by such humbugging. It was very well for Mr Lord who had made a fortune in the business, to come forward now and advocate the Maine Law, you did not hear him say anything about Temperance, when he was in the trade. As long as the Law of the Land legalizes it, it is as respectable a trade as any. The Temperance cause was only a political trap of the old party to try and ruin the Liberal cause. The people in the United States are a set of fanatics in almost anything they take in hand. He did not want remuneration to give it up, he supposed he could make a living as well as any person else at another business, he had a farm, and his premises could be made available for manufacturing purposes. He was sorry to see so many persons in this Island connecting themselves with the Sons of Temperance.

MR. LORD thought there was no occasion for all the ranting the Hon. Member had made, and he would have wished he had stuck to facts. If Hon. Members had followed his (Mr. Lord's) example, they would have had the Maine Liquor Law long ago. He kept a house of entertainment he believed from 1829 to 1833. Some time between those periods, a Temperance Society was formed in Tryon, and he was asked to join them; he would not join, but told them that when he had sold the small quantity of liquor he had on hand, he would not sell any more, and he did so and had never sold any liquor from that time to this. If Hon. Members engaged in the traffic had followed his example; when they left this world, they would find nothing to regret in what they had done in that repect

MR. CLARK, the Hon. Col. Secretary has attempted to make it appear, that the temperance people are connected with the body called "Know Nothings," and that the head of the order is one of that body; nothing can be further from the truth than this; the head of the order is the present Colonial Secretary of New Brunswick, and they have no such organization of the kind in that province. He also said, that the Governor of New York was elected by the "Know Nothings," this also was not the case, for at the New York election there was a "Know Nothing" candidate, and Mr. Clark the present Temperance Governor, defeated him. The Temperance cause had no connection with party politics, for even in the House, Members of both sides voted for it. He knew that a few persons had made a party question of it, but that was no reason, why they should give up a good cause, because a few people tried to make politcal capital out of it.

MR. PALMER.—In consequence of the orderly manner—with one exception—which the debate had assumed, he would not take up the time of the Committee any further, and he would be quite satisfied without replying, if the Col. Secretary's speech was reported as he had given it.

Mr. Coles and Laird made some observations, after which a division was taken on Mr. Whelan's resolution as follows:—

For—Messrs. Whelan, Coles, Warburton, Mooney, Wightman, M'Intosh, Dingwell, Muirhead, Cooper, Speaker.

Against—Messrs. Palmer, Clark, Lord, Laird, M'Donald, Montgomery, Haviland, Munroe, Longworth.

The speaker took the chair and the Chairman reported the Resolution agreed to.

Mr. Palmer moved his resolution in amendment, which was lost on the following division:

For—Messrs. Palmer, Longworth, Clark, Lord, M'Donald, Montgomery, Haviland, Munroe.

Against—Coles, Whelan, Warburton, Mooney, Wightman, M'Intosh, Dingwell, Muirhead, Cooper, Laird, Perry.

LATE FROM EUROPE.

THE NAVVIES AT THE TRENCHES—THE SANITARY COMMISSIONERS.

The public will learn with scarcely less surprise than satisfaction that the main object of the Crimean Railway Expedition is already completed, and that the munitions of war are now being conveyed direct from Balaklava to the trenches. It is needless to say, how vast a remission of toil to the overtaxed strength of the troops is thus effected, and with what increase of vigour and animation they now address themselves to the legitimate prosecution of the business of the siege, without the exhaustion consequent on labours wholly alien to those of an ordinary military nature Moreover, the line is now laid and worked from Balaklava to the French camp, at the top of the steep-incline hitherto by horses, but at the date of the last advices, the engine had begun to supersede animal power, which was gladly used for other purposes. Thanks to the agency of the railway, we have now begun to reciprocate the services the French had bestowed upon us in our extremity, for a large quantity of hut and hospital timber had been forwarded as long ago as the 10th, and such aid was highly appreciated by our allies, who are enthusiastic in their admiration of the systematized application and endurance of the navvies, and delighted by the methodical order and regularity that prevail through all the arrangements of the corps. This recognition on the part of the French is the more remarkable, as they themselves now are, and have all along been, well provided with horses and other means of transport. The branch to the oppssite side of the harbour has for some time been completed, and available for removing the heavy guns and mortars on the Diamond wharf, and by rendering both sides of the harbour available, is of the greatest utility. The issue department of the Commissariat for fuel and barley has for some time back been removed from Balaklava to Kadikoi, where the navvies had likewise constructed a proper depot and platform, with the requisite sheds and conveniences. Of the assistance which the railway corps are to the Commissariat, and of the immensity of the operations of the latter department, some idea may be formed when it is stated, that of barley alone nearly 1,000 sacks are required by the army daily; and, in the conveyance of this vast quantity, Mr. Baily, the officer who looks after the matter, gladly acknowledges the assistance he receives from the navvies, and does everything in his power to facilitate its being rendered. So, indeed, do most of the heads and subordinates in all the other departments at Balaklava,—the condition of which has undergone a most beneficial change, since the railway has begun to lighten it of some of the enormous traffic, or rather impediments to traffic and aggravation of confusion, which had so long rendered it the synonym of everything that was chaotic and distracting. The