## THE MAINE LAW.

House of Assembly, Wednesday, April 19.

(*Debate continued.*)

Mr. Maggowan was happy to find himself placed in a position, that day, to give his cordial support to the important measure then under the consideratiou of the Committee. He was quite prepared to go as far, or even still farther, if necessary, to accomplish so wise and beneficial an object as was recommended in the Resolution before them. The sooner the traffic in intoxicating liquors was put a stop to the better would it be for all classes of the inhabitants. Of this he had, for many years, been most thoroughly convinced. He looked upon the Temperance question as the greatest and noblest cause that ever engaged the attention of any Country, and he would, therefore, give the Resolution before them his most cordial and hearty support.

Hon. Mr. Macaulay would like hon. Members, before voting for compensation, to pause a moment or two, and consider the sum that would be requisite to afford compensation to those who have embarked their Capital in the liquor traffic—the destruction of which was contemplated by the Resolution before them. In his opinion, the idea of compensation to these parties was perfectly preposterous. This Colony is both an agricultural and a commercial community. A commercial community is frequently seen rising out of an agricultural community. Both are necessary to the public welfare; but the progress of both is equally retarded by intemperance. Where was the man who could say that, as a legislator, he had done his duty to his Country by sustaining the liquour traffic, when it was notorious that both the farmer and the mechanic were injured thereby? Many a parent had lost a child by this nefareous business, and what guarantee did any hon. member possess that his child would not be the next to be ruined by it, and become a pest and a vagabond instead of a respectable and useful member of the community? His opinion was, that they were in duty bound to put this traffic down, and it was, likewise, the duty of every man, whatever his politics might be, to assist in putting it down.

The Hon. the Attorney General could not see why there should be any diversity of opinion as to when the proposed Law should go into operation. If the Liquor Traffic was to be put down, the sooner it was done the better. He could not conceive of any sufficient or adequate reason for postponing its operation from the 1st Jan. 1855, to the 1st Jan. 1856; and if the people were prepared for a measure of this nature, ample time would be given to persons engaged in the traffic to withdraw from it as the Resolution then stood. In the State of New York, a Bill had recently been passed by both Houses of the Legislature, similar to the one proposed to be enacted here, but it did not appear that they had felt it necessary to give any extraordinary length of time to those engaged in the traffic, to make preparation for the contemplated change. The Bill was, he believed, passed towards the close of last year, and it was intended to go into operation in the month of May following. He trusted, therefore, that hon. members would see no necessity for the extension of time proposed, and that they would adopt the Resolution as it then stood. He (the Attorney General) had been reproached by the hon. member for Queen's County (Mr. Mooney) for not having, on a previous occasion, advocated this measure with greater zeal and animation, and he had also seen proper to charge him with insincerity. Such a line of argument would, no doubt, answer that hon gentleman's purpose very well, and he was at perfect liberty to make the most of it. He (the Attorney General) also remembered that hon. member's remarks last Session, when he found great fault with him for not coming up to the mark at once, and now he found fault with his having done so. The hon. gentleman had, however, confessed one thing, namely, that, although not disposed to give him (the Attorney General) credit for honesty in the matter, he (Mr. Mooney) would either vote for or against the Resolution, just as it suited his convenience, or as it might appear likely to affect his (the Attorney General's) popularity—a matter, doubtless, of much greater importance, in that hon. gentleman's estimation, than any other consideration. He (the Attorney General) was glad to find that hon. members had well weighed this matter in their own minds, and that the conviction appeared pretty generally to prevail amongst them that some effectual means should be adopted for the suppression of the Liquor Traffic. Why, then, postpone the operation of so desirable an enactment to so distant a period as that proposed? The License Law of last Session, it was admitted, had not been attended with those beneficial results that were anticipated—the number of low grog-shops was far from being diminished thereby. Indeed, so far was this from being the case, that, in certain localities you could scarcely pass a window without observing those unmistakeable symbols of the Traffic—a pipe and fig of tobacco—occupying the most conspicuous position therein—the occupants of these premises being, in most cases, too lazy and indolent to seek a subsistence in a more reputable pursuit. If then such striking evidences were to be seen on every hand of the prevalence of drunkenness, why not stop the whole traffic at once, and include in the prohibition both the importation and distillation of intoxicating liquors? It might not be practicable entirely to put it down at once, but he had no doubt this would ultimately be accomplished, and that the time would arrive when the parties to whom he had just alluded would be obliged to earn a living in such ways and by such means as nature intended them to do. Postponing this matter would, therefore, only have the effect of deceiving these parties, by leading them to believe that they might still farther prosecute their pernicious business with impunity. As to compensation, all he had said on that subject, he was perfectly willing to repeat, namely, that he was quite prepared to enter upon a calm and dispassionate consideration of all claims thereto, whensoever and by whomsoever brought under the consideration of the House. He hoped the Resolution would pass in its original shape.

Mr. Beer saw no necessity for postponing the operation of the contemplated law to so distant a period as that proposed by some hon. members, and should therefore oppose it. If, however, nine months were not deemed sufficient, he had no objection to extend the time a few months longer. Into the merits of the question it was not his intention, just then, to enter, further than to remark, that he viewed the measure before them as involving one of the greatest and most important Reforms that could possibly engage the attention of the Legislature. He (Mr. Beer) was not afraid of any reaction taking place, at least for any length of time, in consequence of the passage of the law in question. In the State of Maine, where the experiment had been fully tested, no reaction of any consequence had taken place; and now almost the last place one would have imagined likely to adopt a measure of this sort—the State of New York—had passed a Maine Law by a large majority. It was quite astonishing to witness the rapid strides which MaineLaw principles were taking in the world, and he hoped that this Island would not be the last place to adopt them. There was no doubt he thought, that the Traffic in intoxicating liquor would speedily be prohibited throughout the Continent of America, and possibly, ere long, throughout the Continent of Europe also.

Mr. Mooney gave the hon. Colonial Secretary (Mr. Longworth) great credit for his frankness and sincerity, in stating that the time for the adoption of a measure of this nature had not, in his opinion, yet arrived, and at the same time declariug, that it was his intention, in deference to the expressed wishes of a majority of his constituents, who it seemed thought otherwise, to give the measure before the Committee his support. But he (Mr. Mooney) must as frankly state that he was not prepared to give it a similar support. And why was he not prepared to give it that support? Mainly, because his constituents—with but one exception—had never questioned him on the subject. To that individual he had stated, that he would not support the Maine Law—which was, he contended, only calculated to bring about a very partial Reform after all. There were thousands of children in this Island, he believed, with neither a shoe nor a stocking to their feet, whose fathers had not spent five shillings in intoxicating liquors for the last twenty years, and yet their poverty and destitution was, by many, entirely attributed to a fondness for grog. Coroner's Inquests, too, were frequently referred to as illustrating the same point; but he believed that if the truth was told, it would be found, that it was to oppression and not to intemperance that a majority of these cases was to be attributed. Notwithstanding all this, if he (Mr. Mooney) found that his constituents were in favor of a measure of this nature, he, for one, would not oppose their wishes, but would, he thought, be found prepared to give it his support. This was just what he would do for them. The hon. the Attorney General (Mr. Palmer) appeared to be horror-struck at the appearance of a few pipes in a window. He knew that hon. and learned gentleman was a decided enemy to the pipe, and he (Mr. Mooney) presumed that the next thing that hon. gentleman would attempt would be, to deprive them of their pipes as well as their cups. Then, truly, might the parties with whom the hon. and learned gentleman appeared so much displeased, go and seek a subsistence where nature intended they should. He, at one time, gave the hon. and learned Attorney General, at least, credit for honesty; but he must now tell him he thought otherwise; and as to its being the wish of the constituency of this Island that a measure of this nature should become law, he admitted that he did not positively know whether this were the cause or not. But he did know, that parties had been paid to lecture on this subject throughout the Island, and procure signatures to the Petions then on the Table of the House. He thought, however, that had the friends of temperance hired him for this purpose, he could have brought them many thousands more signatures than had yet been presented to the House in favor of this measure. At all events, there had been no meeting, that he was aware of, held in his own immediate neighbourhood on the subject of Temperance. * * * * He (Mr. Mooney) had been Thirty-two years in this Island, and during the whole of that period had never been the worse for liquor. He had never once drunk to excess, and he hoped he never should. Indeed, so firmly persuaded was he of the evils of Intemperance, that he felt assured no temptation would be sufficient to swerve him from his principles of strict sobriety. The hon. gentleman then quoted several passages of Scripture, with the view of proving that the proposed law would seriously interfere with man's free agency—such, for instance, as "I chastise my body and keep it under," &c.—"He that endureth unto the end," &c. These were the parties, in the hon. gentleman's estimation, who should shine hereafter. With these views, added the hon. gentleman, "I am a free will man!" Mr. Mooney's reference to Adam and Eve, in the Garden of Paradise, and other theological disquisitions on the subject of man's free agency, we are compelled to pass over for the present, for want of space.

The Hon. Mr. Macaulay said the hon member for Queen's County (Mr. Mooney) had, amongst other things, alluded to Coroner's Inquests, and properly so; but the conclusions he drew from thence were, in his opinion, far from being correct. If he (Mr. Mooney)were on his return home, to meet a man dead, through intoxicating liquor, what ought he to think of himself, if, when he had the opportunity, he refused to be instrumental in preventing so sad a calamity, by prohibiting the use of that which had brought it about. Could he conscientiously say that, in such circumstances, he had discharged his duty aright? Such occurrences had undoubtedly happened, and such might and doubtless would, if not prevented by the strong arm of the law, occur again. A sober man might be the parent of helpless offspring and barefooted children; but he would like to ask the hon. member (Mr. Mooney) whether a parent could clothe his children by swallowing intoxicating liquor? The thing was simply preposterous. Happy would it be for many of that hon. gentleman's followers, and the greatest of all Reforms to them, if, notwithstanding his bellowing and bawling, and in spite of all his opposition, the enactment contemplated by the Resolution were passed into a Law.

Monday, May 8th.

The following Messages were received from His Excellency the Lieut. Governor.

A. Bnnerman, Lieut. Governor.

In reference to the Assembly's Address of the 7th April, the Lieutenant Governor has, as yet, received no legal opinions from England, on the Fishery Reserve question, but he will give instructions to furnish the Clerk of the House with such parts of the Correspondence that has taken place with Her Majesty's Government as he thinks at present proper to lay before the House, in order that it may appear in the Appendix to the Journal of this Session.

May 8th, 1854.

A. Bannerman, Lieut. Governor.

In reply to the Address of the Assembly, of date the 27th April, requesting that a Commission may be appointed of suitable Persons to inquire into the Practice and Proceedings of the Court of Chancery and Supreme Court of Judicature, &c., the Lieutenant Governor will be glad to give effect to the Assembly's desire.

May 8th, 1854-

A. Bannerman. Lieut. Governor.

The Lieutenant Governor transmits to the House of Assembly, a Copy of a Minute of Council, dated 5th May, 1853, appointing the School Inspector, and fixing his Salary.

Also, Copy of a Letter from the Lieut. Governor to Mr. Stark, of the Normal Seminary, Glasgow, July 4th, 1853.

May 8th, 1854.

A. Bannerman, Lieut. Governor.

In reference to the Address of the House of Assembly relative to the Report of the Committee on the Public Accounts, and an alleged illegal charge of £21, paid to the Sheriff of Queen's County, for Candidates' Clerks, which had been audited and reported correct by Capt. Rice and the late Colonial Secretary, the Lieut. Governor transmits Mr. Warburton's explanation of that transaction, and he will instruct the Attorney General to take such steps as he may deem necessary to have the £21 returned, should he be of opinion that the money was illegally exacted.

In regard to Mr. Williams case, the Lieut. Governor finds that the Chairman of the Committee was in possession of a Letter from that individual, stating that his Accounts and Vouchers had been referred to the Council, and by them to the public auditors, and found to be correct. The Lieut. Governor is surprised that no notice is taken of the letter in question in the Committee's Report, which passed so sincere a censure on the conduct of a public officer, apparenty undesigned.

May 7th 1854.

(Mr. Warburton's explanation, referred to in the foregoing Message.)

Charlottetown, May 5th, 1854.

Sir; I have the honor to acknowledge the receipt of your Letter of yesterdays' date. I beg leave to state, for His Excellency's information, that I was one of a Committee appointed by the late Executive Council, to examine the Accounts of the Sheriff of Prince County, and having examined them, I certified to the correctness of all the items allowed in the Account, and, amongst others, to one of £21, for Candidates' Clerks. I believe, notwithstanding the Resolution agreed to by a majority of the Assembly the charge was a just one, and one which is fully borne out by the Election Law, (*Vide*, Sections XX. and LXXXII.) If the Sheriff charged for a greater number of Clerks than were actually employed, he had no right to do so.

The Report of the Committee states—"It nevertheless appears to your Committee that the said Charge was illegal and unjust, as the Candidates themselves paid their own Clerks," &c, This is not the fact, as the Clerks employed by me were to my own knowledge, paid 10s each out of the amount paid to the Sheriff.

In certifying to Accounts, the Committee appointed by the Executive invariably refer to those previously certified as correct. This was done in the present instance, and if His Excellency will cause the Accounts for the partial Elections, which were submitted in 1851, to be laid before him, he will perceive that they are exactly similar to the one certified as correct by Capt. Rice and myself. Mr. Pope was Chairman of the Committee which certified to the correctness of the Accounts which were paid in 1851.

I have the honor to be, &c.

(Signed) James Warburton.

Hon. the Col. Secretary.

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## Arrival of the Pacific — Later from England.

New York May 1.

The Collins steamship Pacific, Capt. Nye, from Liverpool 19th ult., arrived at half-past 9 o'clock this morning.

Consols closed at 87 1 2.

Admiral Napier's whole fleet had gone eastward, to attack the Russian fleet.

Navigation was open in the Black Sea, and the Allied fleets had sailed direct, with the intention of attacking Sebastopol.

By advices of 6th April, it is understood that sanguinary skirmishes occurred daily on the Danube.

Omar Pasha was said to be waiting the arrival of the Allied armies before he would make a general attack.

The reports of the Austrians having entered Servia are not confirmed.

England and France have entered into a treaty, offensive or defensive.

The recall of the Prussian Minister from London, was on personal, not political grounds.

A large Russian force was said to have entered Servia.

All the Russian ports were declared blockaded.

A portion of the English and French troops had reached Gallipoli.

No important actions have occurred on the Danube.

The London *Times* of the 17th says: "We have received from our correspondent at Copenhagen a despatch dated yesterday, with the following gratifying and important intelligence: 'The Tribune frigate has just arrived from Admiral Plumridge's squadron, having taken five Russians prizes, and a number of prisoners.'"

Russian advices state that additional reserves are called out to the extent of 125,000 men, and that a corps of Russian troops in two divisions is to be stationed on the Prussian frontier between Memel and Suwaki.

One mode of defending the entrance of Cronstadt is new and dangerous. Strong iron chests charged with powder and other combustible materials are sunk in the channel and connected by wires to a galvanic battery. Above the chests is some machinery, which, on being touched by the keel of a vessel completes the galvanic circuit and explodes the mines. 100 of these dangerous inventions are sunk in the narrow entrance to Cronstadt.

The vessels stated to have been captured by Sir C. Napier's fleet are said to have been laden with sulphur and other articles contraband of war. They had been under surveillance for some time past, and were last from Lubec, and on their way towards a Russian port in the gulf of Finland.

The expulsion of the Greeks from the Turkish territory is going on; but a private despatch states that the Greek subjects who profess the Latin faith will be allowed to remain.

Athens, 7th.—The insurgents have been tremendously beaten near Arta.

Vienna, 13th.—The late accounts state that numerous skirmishes of a very sanguinary character took place along the line of the Danube. The national antipathies have reached their extreme point.

Omar Pacha is manœuvring for the double purpose of covering Silistria and the Wall of Trajan.

Luders only advances very slowly in Dobrudscha, and with the greatest precaution.

Two thousand four hundred of our countrymen were at Gallipoli at the beginning of this month, and with them the vanguard of the French troops under Captain Excelmans. According to the correspondent of the *Wanderer*, General Canrobert will remain for a time at Gallipoli, but General Bosquet, with staff, will at once go to the Danube.

Varna, which was only defended by 6,000 men, has asked for reinforcements from the combined fleets. The English and French troops which have arrived at Gallipoli will, it is said, be ordered there.

A Worthy Deed.—The Rev. W. H. Cooper, who, with his family embarked on board the steamship "San Francisco," on his way to Rio Janeiro, as a Missionary of our Church, lost nearly all his effects in consequence of the wreck of that vessel. We are glad to learn by an acknowledgment published in the Spirit of Missions, that our brother has received from parishes in New York and Philadelphia, the sum of upwards of three thousand dollars. This is as it should be.

The Rev. Mr. Cooper, referred to in the above paragraph, was recently laboring in Prince Edward Island, and is known to many of our readers. We are truly glad that our brother churchmen in New York and Philadelphia acted so liberally towards him.

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HIS Excellency the Lieut. Governor has been pleased to appoint the following persons to serve as HOG REEVES, for one year, in terms of the Act of 10th Victoria, cap. 7:

CHARLOTTETOWN.

James Walsh, William Ladner,
Benjamin Williams, Henry B. Smith.

*Charlottetown Common, and Royalty.*

Timothy Carey, Hugh McAulay,
John Woods, Angus McKinnon,
William Prouse, Jun. George Chandler,
John Hobbs, (hatter) John Hewit,
James Henry, John Lowry.

FRANCIS LONGWORTH,
May 3, 1854. Colonial Secretary.

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Council Office, 4th May, 1854.

HIS Excellency the Lieutenant Governor in Council has been pleased to appoint the following persons Collectors of Impost and Excise, for the undermentioned Ports in this Island—and also to nominate the said Collectors of Impost and Excise Controllers of Navigation Laws, subject to the approval of the Honorable the Commissioners of Her Majesty's Customs:

Mr. John Jardine, Junior, for St. Peter's Bay, in the place of the Hon. John Jardine.

Benjamin Bearisto, Esquire, for Malpeque, in the place of William E. Clark, Esquire.

John C. Simms, Esquire, for New London, in the place of Mr. Duncan McIntyre.

Edward Goff, Esquire, for Grand River and Bay Fortune, in the place of Mr. John E. McDonald.

Mr. David Crichton, for Murray Harbour, in the place of James Richards, Esquire.

CHARLES DESBRISAY, C.E.C.

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Council Office, May 4, 1854.

HIS Excellency the Lieutenant Governor in Council has been pleased to make the following appointments, viz:

Mr. Joseph Bell, to be Clerk of the Flour Market in Charlottetown—Mr. Hugh McKenna having declined to accept that Office.

Messrs. Archibald Binns and John McKinnon, of Charlottetown, to be Preventive Officers and Land Waiters—in the terms of the Act of 14th Victoria, cap. 8.

Mr. Kenneth McKenzie to be a Guager for the Port of Charlottetown; also Warehouse Keeper, in the place of Mr. Cornelius Little, resigned.

Mr. Archibald McGougan, (Stone house), to be Harbour Master and Collector of Anchorage Dues at Richmond Bay—in the place of Mr. William H. McKay; also Wharfinger for the Public Wharf at Princetown.

Mr. Hubert Godet, sen., to be Protector of Alewives' Fishery at Tignish—in the place of Mr. Cornelius McCarthy.

Mr. John Thomson, of Georgetown, to be Preventive Officer and Collector of Anchorage Dues, also Wharfinger for the Public Wharf, Georgetown—in the place of Mr. John Kearney.

Mr. John Lavers, Senior, to be Clerk of the Georgetown Market.

Mr. John McIsaac, of Souris, Mr. Henry Williams, of Little River, and Mr. John McCallum, North side of Bay Fortune, to be Surveyors of Lumber—in the terms of the Act of 12th Victoria, cap. 19.

Mrs. —— Egan, to be Postmistress at Mount Pleasant, Township No. Thirty-seven—in the place of Mr. Michael Egan, deceased.

CHARLES DESBRISAY, C.E.C.

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Secretary's Office, May 4, 1854.

HIS Excellency the Lieutenant Governor has been pleased to order the names of

Mr. John Dalziel, Murray Harbour,
" Lemuel Owen, Georgetown,
" William Watson, Montague,
" Daniel Gordon, Georgetown,
" James McFarlane, Souris,

to be inserted in the Commission of the Peace for King's County.

His Excellency has also been pleased to order the names of

Mr. John Clark, Cape Traverse,
" Cornelius Howat, Tryon,
" Donald Montgomery, Lot 19,
" Donald Ramsay, Beech Point,
" Edwin Parker, Traveller's Rest,

to be inserted in the Commission of the Peace for Prince County.

FRANCIS LONGWORTH, Colonial Secretary.

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Secretary's Office, May 4, 1854.

HIS Excellency, the Lieut. Governor, has been pleased to appoint William Douse, Peter Macgowan and Charles Stewart, Esquires, as Road Justices for Charlottetown, in terms of the Act 12th Vic. cap. 2.

FRANCIS LONGWORTH,
Colonial Secretary.