

NOTICES OF MOTION.

Mr. PLAYTER gave notice of a motion relating to the auditors, and also relating to the York roads.

Mr. TYRELL gave notice of motion for select committee to consider the amendments to the Municipal Act.

Mr. DOANE gave notice of motion for select committee to consider the advisability of dividing all the surplus funds from the York roads among the municipalities.

Mr. BURTON—For petition to amend the Act making it compulsory on municipalities to build houses of refuge.

COMMUNICATION.

A communication was read from the chairman of the Board of Grammar School Trustees at Newmarket asking a grant.

The Council adjourned till 10 o'clock to-day.

vote nay. (Applause from the Opposition benches).

Dr. MAGILL was next called on to vote, and said he had made up his mind to vote yea, not because he opposed the principle of the measure, but because he was desirous to see its consideration postponed.

These two votes being recorded, the figures stood—for the amendment, 32; against it, 30. The result was received with applause from the Government benches.

TUESDAY, January 28

The Speaker took the chair at 3 o'clock.

PETITIONS.

The following petitions were presented:—

By Mr. Gow—From inhabitants of Wellington, praying that no charter be granted to the Licensed Victuallers' Association.

By Mr. Gow—From inhabitants of Wellington, praying amendments to the Municipal Act.

By Mr. Galbraith—From James Gillies and others, respecting the timber trade.

By Mr. Scott—From E. McGillivray, praying an act to incorporate the Temporal Committee, St. Andrew's Church, Ottawa.

By Mr. Boyd—From inhabitants of North Plantagenet, praying that no charter be granted to the Licensed Victuallers.

By Mr. Wigle—From the Municipal Council, Township of Gosfield, praying that Pointe aux Pelee Island may be incorporated as a separate municipality.

By Mr. Wigle—From inhabitants of Essex, praying the extension of the Erie and Niagara Railway.

By Mr. Graham—From inhabitants of Hastings, praying that no charter be granted to the Licensed Victuallers' Association.

By Dr. Baxter—From inhabitants of Haldimand, praying the extension of the Erie and Niagara Railway.

By Dr. Baxter—From inhabitants of Haldimand, praying that no charter be granted to the Licensed Victuallers' Association.

By Sir Henry Smith—From Thomas Roe, praying that the Buffalo and Detroit River Railway Company be incorporated through Canada.

TAVERN-KEEPERS.

Hon. Mr. WOOD moved that certain petitions, praying for amendments of the Municipal Law in respect to tavern and saloon-keepers, be referred to the Select Committee on the Municipal and Assessment Laws. He said he wished to call the attention of the house to what a large class of persons in this neighbourhood considered to be grievances under which they laboured, and which were set forth in these petitions. By the present Municipal Law, hotel and saloon-keepers were proscribed from holding any municipal offices. They conceived this exclusion to be unjust—that it was not consistent with British freedom, that any persons pursuing a lawful calling should be proscribed from holding such offices. Another grievance they complained of was, that by the present law the number of tavern-licenses in towns and cities, and, he supposed, in townships, was limited. The consequence was that, in towns and cities, every one who felt disposed, sold spiritous liquors without license, so that while those who had licenses were paying to the revenue of the country, and of the municipalities, considerable outlays, were complying with the rules and regulations proscribed, and were under the control of the law, many others, without incurring this outlay, dealt just as freely in spiritous liquors as themselves, and such was the state of public sentiment, it was said, that if any attempt was made to bring to justice those who sold without license, public sentiment defeated it. For instance, last summer, in Woodstock,

information against such parties were lodged, and a riot was the result, and in almost every case, it was within the experience of the profession, that, where persons were brought up and fined, there was an appeal, and by that appeal, in nine cases out of ten, by the verdict of a jury or in some other way, the parties escaped. The consequence was that in towns and cities, all who felt disposed to sell without license—and they were far more numerous than those who paid license—sold spirits *ad libitum*. It was said everything should be done, that could be done, for the promotion of temperance. He quite agreed in this sentiment; but it was more than problematical whether the law as it now stood, instead of promoting temperance, had not just the reverse effect. Another grievance they complained of was, that they were compelled by law to shut up their doors from seven o'clock on Saturday night till eight o'clock on Monday morning. They stated that the law in this respect was one end of the country to the other, except, perhaps, in the rural districts, was universally violated. It was irrational, because it did not shut up the unlicensed pot-houses in the back lanes, which places were frequented—and scenes occurred in them which would not occur in places under the regulation of the law—so that the community gained nothing in the way of the suppression of intemperance. The petitioners stated that if the law compelled them to close, say at ten on Saturday night, and not to open till five on Monday morning, every one in the business would have an interest in seeing that no one engaged in it without complying with the same conditions as themselves, and the law would thus have more effectual control over the traffic. These three points, he thought, were worthy of the attention of the Legislature in connection with any amendments that might be made in the municipal law.

Mr. HAYS said that apart from the clause preventing tavern-keepers from holding municipal office, they would be excluded by the general terms of the law, in consequence of their holding licenses from the municipality.

Mr. GOW said his experience on this subject differed entirely from that of the Treasurer. In all cases where parties had been brought before the police magistrate for selling liquor without license, he had found public sentiment to be entirely against them. The argument of the Treasurer was, that you might multiply licenses to any extent, and not increase drunkenness. That did not accord with his (Mr. Gow's) experience. As regarded the hardship of excluding this class of individuals from municipal office, it was clear that when the municipal councils were entrusted with the power of regulating the houses of public entertainment, fixing the amount of license to be paid, &c., it would be madness on the part of the Legislature to provide that these men might sit at the Council Board, to regulate their own fees. He was perfectly astonished to hear the remarks which had been made by the Treasurer on this subject. As to the other point, about the hour of closing—there might be a difference of opinion—some would say taverns ought to be closed at five o'clock, or six o'clock on Saturday evening. But the present law had been made for the protection of those who could not protect themselves, and it would be a retrograde step to change it in the direction proposed.

Mr. BOYD said that, if tavern-keepers had seats in municipal councils, they would have power to fix not only the price at which a license should be granted, but the sum for which the bonds should be given—bonds for adhesion to the regulations prescribed by the statute. He was amazed at the arguments used by the Treasurer, when he contended that it would assist the temperance movement if tavern-keepers got the changes now sought, and if those who were opening the flood gates of intemperance were made the custodians of public virtue. The law requiring bars to be closed at 7 o'clock on Saturday evening, was objected to. If any change were necessary here, it was a chance in defining what a bar really was. The room in which the bar was kept should be called the bar, and then it would not be so easy to evade the law.

Mr. McLEOD thought it would be a most unwise thing to repeal the enactments, which, under the name of the Forbes, Mackenzie law, had been productive of such beneficial effects in the mother country. It was only fair and reasonable that tavern-keepers should be restricted as well as other classes, from pursuing their occupation on Sabbath—more especially when the traffic in which