

# CANADIAN TEMPERANCE LEAFLETS



4-PAGE SERIES.]

[No. 9.

## IS PROHIBITION TYRANNICAL or UN-BRITISH?

By PROF. GEO. E. FOSTER, M.P.

5. *It is tyrannical and un-British.*

It is not tyrannical or un-British to look after and preserve the "good of the greater number," even though the gains or appetites of the few be interfered with. The Canada Temperance Act interferes with the traffic of the liquor-sellers and makers, but it does this in order to protect the lives, the material interests and the moral well-being of the people. Which would be the greater tyranny, that the few thousands of makers and sellers of alcoholic liquors in Canada should be deprived of this particular way of making money, in order that the real interests of the millions of the people be conserved, or that the interests of those millions should be sacrificed to the gain and greed of the few thousands? A man wishes to run a factory, keep cattle byres, build a slaughter house, or sell obscene literature in the very centre of a crowded city. He can make money out of it, do a business, employ labour, and get great gain thereby.

But the people object. Personal comfort, security, health and morals are endangered; and the man who wished to carry on the profitable business, and the persons who wanted him conveniently near to deal with, must both bow to the best interests of the people. The obnoxious business is prohibited, and yet we are supposed to be a free people, and to be doing nothing un-British. A man cannot build a house to his own liking, on a lot owned by himself, within the fire limits of a city; he must build it fire-proof or not at all. One cannot shoot game birds when he likes, or pile his

garbage in his own back yard, nor store combustibles where he pleases, nor keep pigs and cows in his own barn in a city, &c., &c. He is hedged in by a thousand restrictions, the basis of which is that the general good and comfort must be looked to as well as his individual convenience and gain.

So, when the people come to the conclusion that the open saloon, which robs home of dear ones, turns sobriety into revel, order into riot, plenty into poverty, and manhood into worse than beastliness, ought not, in the general interests of society, to be continued, the man who runs it and the tipplers who want it must both give way before the general good. It is not tyranny or something un-British. It is the height of freedom, and an exalted exercise of the grand principles of British equity, thus to protect that which is dearest and best to the many against the greed or the appetites of the few.

The Act does not say to any man, "You shall drink thus and so." It goes to the public seller and bids him stop endangering the many in order to gather gain for himself, and it says to the drinker, "Alcoholic liquors are not a necessary of life; at best they are but a doubtful luxury; you will lose nothing by being without them; but if you think you must have them, get them the best way you can. I shall not allow them to be sold under my auspices, for their sale is productive of vast injury to the country."

The Act takes no *right* from the present seller. He has paid for the liberty of selling liquors for one year. He has received license to sell for one year. There is nothing that assures him that the contract will be renewed. He gets what he has paid for. When the Act is adopted, the people—the other party to the contract—advise him that no more contracts will be made, and that he must look for a job elsewhere. He went into the business from year to year for the sake of the gains: he pocketed the gains, and if the refusal to renew the contract, on the part of the people, occasions him any loss, he must simply pocket that as well. Surely there is nothing tyrannical in this.

The Act is not a sumptuary law. It does not tell people what clothes they shall wear, how much meat they shall eat,

what jewellery they shall display, and the kinds and price of the furniture they shall have as did sumptuary laws, which dealt solely with the expenses of the people and were directed against extravagance. This law does not touch the habits, expenses, wardrobe or table of the individual. It simply has to do with a public act—the sale of liquors—and prohibits those who, utterly careless as to what harm may come to others, wish to pursue a calling which, for the least possible outlay of money or brains, will bring them in the easiest competence.

Is it tyrannical or un-British ?

"No," said the British Parliament, in 1854, when it applied the Forbes McKenzie Act to Scotland, and thereafter prohibited the sale of intoxicating liquors for one day out of every seven.

"No," said the same Parliament when, in 1878, it enacted the Irish Sunday Closing Act, and placed the whole island, with the exception of five of its largest cities, under its operation. And it reiterated that opinion when, in 1881, it closed up the dram-shops in Wales on the Sabbath day, and, in 1884, extended the Sunday Closing Act to the five Irish cities previously exempted.

"No," it repeatedly declared, when in the British House of Commons a resolution embodying the right of the rate-payers of a district to say whether and how many drinking places should be opened in its borders was passed in 1880 by a majority of 26, in 1881 by a majority of 45, and in 1883 by a majority of 87.

Legislatures, people, and judicial courts in the United States have over and over again said that prohibitory power was both right and expedient. Maine so declared when her legislature passed the prohibitory law of 1851, re-enacted it in 1858, and maintained it in increasing efficiency to this time. Vermont and New Hampshire have so declared by the enactment of prohibitory laws in 1852, and by preserving them in force and effect.

Kansas, by popular vote, in 1882, made a similar declaration, and was followed by Iowa in 1882, with a popular majority of 30,000. There is scarcely a State in the Union

which has not by statute enactment exploded this objection and there is no instance on record where the highest judicial authority has not upheld the principle of the right and expediency of such legislation.

Canada, too, by the Dunkin Act, by the North-West Territory Prohibitory Act and the Canada Temperance Option Act has set her authority behind the principle of Prohibition partial and absolute.

This bug-bear of "tyrannical and un-British" is a mere catch-cry which can only have the effect with ignorant and the interested.

To say that a man is a "slave" and no "British freeman" who stands up for his children, his home and his country against the demoralization of the grog-shop!

To say that a man demonstrates his "independence" and "love of liberty" as he bends beneath the weight of the dram-shop and bears it up on his sturdy shoulders—while above him brewers, distillers and liquor-sellers ply the whip of temptation, tighten the reins of appetite, and, as they lighten the "freeman's" pockets, drive him on to his ruin!!

To endeavor to teach men that the dram-shop is the true palladium of their liberties, that "King Cup" is an easier ruler than "Queen Temperance," that the black-bottle and greatness go together, and that the "Trade" is the only genuine defender of the rights of man!!!

Do such teachers suppose that all the good sense has left Canadian people?

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Entered according to Act of Parliament of Canada, in the year one thousand eight hundred and eighty-four, by GEORGE E. FORTAN, in the Office of the Minister of Agriculture.