

To the Honourable the LEGISLATIVE COUNCIL OF VAN  
DIEMEN'S LAND.

The Petition of the undersigned Inhabitants of Hobart Town and  
its Vicinity

RESPECTFULLY SHEWETH—

THAT in the last Session of your Honourable House, an Act was passed entitled "An Act to regulate the Sale of Liquors," by the 38th Section of which it was provided, that all Houses Licensed for the Sale of Liquor should be closed, except to travellers, throughout the whole of Sunday.

That your Petitioners are informed, that some persons, directly or indirectly interested in the Liquor trade, are preparing to move your Honourable House for a repeal of the above-named Section of the said Act.

That your Petitioners, firmly believing that a Law to prohibit the trade in liquors on the Sunday is a great public benefit, cannot regard with indifference any agitation for its repeal, and therefore desire most respectfully and earnestly to pray your Honourable House to abide by its recent Legislation in this matter. They would ground their appeal upon the following facts and reasons:—

It is an undoubted fact, that before the passing of the new Licensing Act drunkenness, accompanied more or less by other offences against social order and good morals prevailed to an alarming extent upon the Sabbath Day.

It may be as confidently affirmed, that since the new Law came into operation, Sunday drunkenness has comparatively disappeared, and order and quietness have prevailed in our towns and rural districts, where before scenes of riot were of constant occurrence.

It would be highly satisfactory to be able to establish the truth of these assertions by reference to the Police-records of the Colony. Such Returns your Petitioners are unable to procure, but they trust that your Honourable House will order their production, and thus test the accuracy of your Petitioners' statements.

In the mean time, since the experience of different countries, placed under similar circumstances, must be more or less parallel, your Petitioners may be permitted to refer to the case of Scotland, as remarkably illustrating their position.

It is well known, that in that part of the United Kingdom, a Law that should prohibit the sale of Liquors on the Sabbath Day had been extensively demanded, and that such a Law, having received the sanction of the Imperial Parliament, came into operation in the month of May, 1854. The results of its working have been published upon most unquestionable authority.

The Lord Provost of Edinburgh shews, from returns prepared by the Superintendent of Police of that city, that during the operation of the new Act for the first three months from its becoming law, viz., from the 15th May to the 16th August 1854, the number of persons taken to the Police-office charged with drunkenness, from 8 o'clock on Sunday morning to 8 o'clock on Monday morning was only 27, whereas during the corresponding quarter of 1853 the number had been 153.

Again, to shew that the diminution of drunkenness on Sunday had not been balanced by an increase on Saturday or Monday, but had extended to the whole week, the same high Functionary states, that in the above-named quarter of 1854, "the *total number* of cases of drunkenness was 2029, whereas in 1853 it had been 2716; and, what is of immense importance in the present enquiry, whilst the number of these persons charged with other crimes was 911 in 1854, the number in 1853 was 1199. Thus the decrease of crime was much greater during this quarter than could by any calculation have been ascribed *directly* to the decrease on Sundays."

And again, his Lordship mentions the striking fact, that, whilst the number of prisoners in the County Prison had been for several years past steadily *increasing*—so much so that the Edinburgh Prison Board had recently voted £12,500 for an enlargement of the prison,—during the quarter above-named the number of persons had *decreased* from 503 to 408, and the contemplated enlargement of the prison had been in consequence for the present *abandoned*.

Similar testimony is given by the Lord Provost of Glasgow in regard to the operation of the Law in that city.

Your Petitioners confidently anticipate that an enquiry into the working of the "Sunday clause" in this island will bring similar facts to light, and afford incontestible proof that legislation in this matter has been the means of removing from our social system a large amount of evil.

But the prevention of drunkenness and the consequent repression of crime and disorder are by no means the only benefits resulting from such legislation. It directly tends to promote another great moral good, the value of which cannot be estimated by the statistics of Police. Your Petitioners refer to the withdrawal of temptation from the path of the young and unwary, to whom, as well as to servants and others during their day of leisure, the open public-house has too frequently proved the gate of ruin.

Believing, then, that it is essential to the well-being of the people that the law should have power to correct vice, and at the same time exercise its noblest function by giving protection to the weak,—your Petitioners earnestly implore your Honourable House to abide by your recent legislation in regard to the Sunday trade in liquors. They are far from wishing to abridge, and would by all lawful means promote, the comfort and recreation of the working classes; but they believe that these ends would not be promoted by re-opening the Public-houses on the Sabbath Day. They would desire to see due regard given to the rightful claims of all private interests; but they submit that it would be a great public wrong to consult the interests of any particular class at the expense of the health, morals, and happiness of the community at large.

Your Petitioners therefore pray that the 38th Section of the Licensing Act,—commonly known as the "Sunday Clause"—may not be repealed.

And your Petitioners will ever pray,

&c. &c.

