

the action of the other House. He may be prophetic in some cases but not in this, and until we know what is the determination of the other branch of Parliament it would be unwise to take any action in the direction suggested.

HON. MR. VIDAL—Does the hon. gentleman suggest that we should let this Bill stand until we know the fate of the Bill in the other House?

HON. SIR ALEX. CAMPBELL—It makes provision which would be sufficient if the law is as the Supreme Court declares it to be in that respect, but there has been a decision in the Supreme Court of New Brunswick which goes in the other direction, and it was to cure the evils resulting from that decision that the short Bill was introduced in the other branch of Parliament. All I can say is that those gentlemen who take an interest in the subject would have been better advised if they had adhered to that Bill, and presented it to us for the purpose of curing an evil which became apparent from the decision of the Supreme Court of New Brunswick. The Bill is complete in that respect that the part of the law which relates to putting in force the provisions of the Canada Temperance Act was saved by the decision of the Supreme Court. It saved the question of vessel licenses and wholesale licenses, and also that portion of the Act relating to the carrying into effect the provisions of the Canada Temperance Act of 1878. So that the provisions of the Bill are complete as far as they go. Whether the suggestion of my hon. friend from Sarnia should be followed or not, the subject deserves consideration, and I will endeavor to give it consideration; but I cannot say what course we will pursue.

HON. MR. POWER—One most desirable quality of legislation is that it should be easily understood. I do not think this Bill has that quality. What I mean is, that a Bill should not take a very superior lawyer to understand it. Laws are put on the statute books so that magistrates and other people of only ordinary legal attainments shall be able to understand them. Now, as this Bill stands, if it goes into the hands of the average man, what does it

tell him? It tells him that certain portions of the Liquor License Act of 1883 and the Act amending it are *ultra vires*, and that the portions which are *ultra vires* are suspended. The decision of the Supreme Court tells him that much. It seems to me it would be better if Parliament had defined the portions which are *ultra vires* and not left it to the unfortunate who had to deal with the Bill to find out for himself what portions were covered by the decision of the Supreme Court. Surely the officers in the Department of Justice or the law officers of the House of Commons, or whoever prepared the Bill, should have indicated particularly the portions of those previous Acts that were suspended. I think, perhaps, even the hon. gentleman from Sarnia, who is familiar with legislation, would find it a little difficult to know just how much of the Liquor License Act was suspended and how much was not; and I appeal to the Minister of Justice himself to say if he does not think, in view of the fact that this Bill when it becomes law will be intended for the guidance of people who are not familiar with law, that it would have been better to define the portions of the Act that are suspended.

HON. SIR ALEX. CAMPBELL—I must say I think the hon. gentleman is hypercritical. The Bill consists of the enacting clause and seven lines. It simply declares that—

The operation of such portions of “*The Liquor License Act, 1883*,” and of the “*Act to amend The Liquor License Act, 1883*,” as the Supreme Court of Canada has declared by its decision, whereof a copy is in the Schedule to this Act annexed, to be *ultra vires*, is and shall be suspended unless and until the same shall be decided by the Judicial Committee of the Privy Council to be *intra vires* of the Parliament of Canada.

Then the judgment follows, and it says that—

The Acts referred to in the said case namely “*The Liquor License Act, 1883*,” and “*An Act to amend the Liquor License Act, 1883*,” are and each of them is *ultra vires* of the legislative authority of the Parliament of Canada, except in so far as the said Acts respectively purport to legislate respecting those licenses mentioned in section seven of the said “*The Liquor License Act, 1883*,” which are there denominated vessel licenses and wholesale licenses, and except also in so