

confined to only one branch of that question. The first clause provides :

"Sunday excursions by steamboats plying for hire, or by railway, or in part by any such steamboat and in part by railway, and having for their only or principal object the carriage of Sunday passengers for amusement or pleasure only, and to go and return on the same day, by the same steamboat or railway, or any other owned by the same person or persons or company, shall be unlawful and shall not be deemed a lawful conveying of travellers, within the meaning of any statute of Canada, or of any Province of Canada, permitting the conveyance of travellers on the Lord's Day."

The second clause goes on to say that the owners shall be liable to be sued in a civil court by civil action for a large sum of money, and this sum is recoverable in any court of competent jurisdiction, in the place in which the steamboat or train employed on the excursion started, or through which it passed, or at which it stopped, and the money recovered shall be divided, one moiety to go to the plaintiff, and the other moiety to the municipality of the city, town, village or place from which the unlawful excursion started. The Bill is limited to excursions, and it is provided that such conveyances shall be considered to be unlawful, and that the owners of them shall be subject to a civil action. It seems to me that the constitutional point taken by the Secretary of State is a good one; that this is a matter affecting civil rights. If Parliament should take the responsibility of declaring that such excursions, or any act of non-observance or breach of observance of the Sabbath, was a crime, it might thereby be brought within the criminal law, and therefore within the competence of this Parliament. It seems to me that the mere fact of its not being declared to be a crime, but merely to be an unlawful act, and the action to be brought a civil action for damages, gives away the case, so far as the competence of the Dominion Parliament is concerned. The hon. gentleman, in fact, declared in his speech that he did not propose to interfere with vessels sailing on a long voyage, or railways carrying through traffic. That might interfere with our relations with the United States, or with the great currents of trade. Well, it might be, Mr. Speaker, that under the authority of several decisions, that the effect of this through traffic, this wholesale traffic, being the traffic which the hon. gentleman does not wish to interfere with—that traffic might come within the Dominion law; but these excursions, such as in Toronto harbor, or those my hon. friend has spoken of from Montreal or Quebec, certainly ought to be within the governance and control of the Provincial Legislature, and the provincial administration of affairs—within the cognizance and control of the municipalities. It appears to me that the Bill is *ultra vires*.