

He said: Honourable gentlemen, in 1916 Parliament passed certain legislation supplementing the powers of the provinces, having for its objects the prohibiting or restricting of the sale of intoxicating liquors. In 1917 we amended the legislation of 1916. Experience is a very satisfactory teacher in matters of this kind. It has been found that the legislation of 1916 and 1917 did not go far enough. Each province has had opportunity to give effect to the legislation we then enacted, and it has now been represented to the Government that it is necessary to go farther than we did on those two occasions. It is therefore proposed to extend the law so as to prevent the manufacture of liquor that would be used in violation of the provincial law. The Bill before us, which practically supplements the authority that a province can exercise, includes a manufacturing clause. Another clause, namely, section 2, provides that if any designing person ships liquor into a province for the purpose of violating the law of that province, such person may be prosecuted. Honourable gentlemen will doubtless recall that when similar legislation was before the Senate in 1916, the Senate disapproved of the clause which was then imported into the Bill, because of the absence of safeguards in the matter of prosecutions. The former Bill provided that the offender might be brought into the province into which the liquor was imported. It is now proposed that no prosecution shall be brought against a person outside of a province in which he is, except with the approval of the attorney general of the province in which the prosecution is to take place. I think the necessity for securing the consent of the attorney general is a sufficient safeguard. If it is sought to prosecute any one shipping liquor into the province interested, the attorney general of that province may insist upon a prima facie case being made out. It is thought that with this safeguard added there can be no objection to the provision which the Senate formerly rejected.

Hon. Mr. BOSTOCK: Honourable gentlemen, I do not know whether it is of any use my repeating the remarks that I have already made to-day with regard to legislation being brought down in this way, right at the end of the session, when we have no time at all to examine it. We have just had a vote from which it appears that the members of this House do not support me in that contention, and I do not suppose there is any use in saying any-

Hon. Sir JAMES LOUGHEED.

thing further on the subject; but I do personally very strongly object to the Government bringing down legislation within a few hours, even a few minutes, of prorogation, and asking us to pass it.

As my honourable friend (Hon. Sir James Lougheed) has said, one of these clauses at any rate was previously before this Chamber, and we objected very strongly to the Government placing on the statute book such a clause, which would permit of a man being brought all the way from Nova Scotia right out to British Columbia, even up to the Yukon, to be put on trial there. Then, having been acquitted, he could be left there to find his way back home as he was best able.

The leader of the Government has said that there is a change in this Act to the effect that application has to be made to the Attorney General of the province; but to my mind it is not clear as to where the application has to be made to bring a man say from Nova Scotia to British Columbia. Probably we can get more information on that point when we are in Committee of the Whole. I think it is objectionable to bring a man across the continent and put him to the expense of a prosecution of this kind. I am as much opposed to this clause as I was on a previous occasion, when I voted against it.

Hon. W. B. ROSS: This Bill looks very innocent on its face. Really it is not. It is very far-reaching, and involves an entirely new principle. Any member of the House who will look at chapter 19 of 1916 will see that that legislation was meant to protect the provincial legislation, or to supplement it if you like. The position taken by the two Houses of Parliament at that time was that they would allow the provinces to legislate within their own boundaries, as their powers were defined and settled by the Privy Council; but Parliament said: "If any one outside the province, over whom you have no jurisdiction to legislate, proceeds to violate your law or to assist other people in violating your law, we will come to your assistance." The two things, the provincial legislation plus what is commonly known as the Doherty Act, covered the temperance situation, and worked pretty well. The Dominion let the provinces work out their own salvation.

This Bill lets the Dominion into the provinces. Chapter 19 of 1916 deals with a person selling, and so on, "knowing or intending that such intoxicating liquor will or shall be thereafter dealt with in viola-