(16.) Generally, all matters of merely a local or private nature in the Province."

Some canons for the construction of these two difficult sections were laid down in *The Citizens Insurance Company of Canada* v. *Parsons, L. R. 7, App. Ca. 96.* It was said that the sections must, in regard to the classes of subjects generally described in sec. 91, be read together, and the language of one interpreted, and, where necessary modified, by that of the other, so as to reconcile the respective powers they contain and give effect to all of them. It was also said that in determining whether an Act was *intra vires* of the local Legislature, the questions to be decided were: First, whether the Act impeached falls within any of the classes of subjects enumerated in sec. 92; Second, If it does not, it can be of no validity, and no other question would then arise; Third, If it does fall within sec. 92 then the further question must be determined, whether the subject of the Act does not also fall within one of the enumerated classes of subjects in sec. 91, and so does not still belong to the Dominion Parliament.

The point decided in *Russell* v. *The Queen, L. R. 7, App. Ca. 829,* was that "The Canada Temperance Act" was *intra vires* of the Dominion Parliament. This Act in effect, wherever it is put in force, prohibits the sale of intoxicating liquors, except in wholesale quantities, or for certain specified purposes; regulates the traffic in the excepted cases; makes sales of liquors in violation of the prohibitions and regulations contained in the Act criminal offences; and punishes by fine, and for the third or subsequent offence by imprisonment.

The point decided in *The Queen* v. *Hodge* is, that secs. 4 and 5 of "The Liquor License Act of 1877," Rev. Sts. of Ontario, cap. 181, are *intra vires* of the local Legislature.

Sec. 3 of this Act provides for the appointment of a Board of License Commissioners for each city, county, union of counties, or electoral district, as the Governor-General may think fit, and secs. 4 and 5 are as follows:—