

these are Provincial Officers, and this is Provincial Legislation, why, then, the Dominion has not the power. I have got to establish that the Dominion Parliament was competent to deal with this subject in the way of limiting it and regulating it. If I can establish that, then I respectfully submit I am not in any difficulty with reference to these people. Although they are acting for and in the Province they are Dominion Officers. Every Dominion Officer acts for and in some province. For instance, Custom-house Officers, Inspectors, and so on. I am not hampered either by the question of revenue or the way of raising it, because if it is a legitimate Dominion purpose, the Dominion Parliament could raise taxation in any way it pleased. Therefore once let me establish that it is a Dominion purpose competent to the Dominion, then I am free from either of those difficulties; and I cannot help thinking that dealing with either of these is rather apt to confuse than to assist, because what your Lordships have to decide is this—Is it a matter competent for the Dominion Parliament to deal with?

Therefore, my Lords, I submit on this part of the case that if it is correct to say, as was said in *Russell v. The Queen*, that the prohibition of the liquor traffic was not within the exclusive power of the Provinces, that *pari ratione* it ought to be held that the regulation of it in the way of limitation with the same purpose and object was not within the exclusive power of the localities, and I get rid of the difficulty in *Hodge v. The Queen*, and I reconcile both cases by asking your Lordships to hold that a thing may be at a given time a local matter which may be dealt with locally within the perfect powers of the Provinces, which nevertheless may have to be dealt with by the Dominion as a whole for the whole Dominion at some other time. I think that is the view which really is borne out, not only by *Hodge v. The Queen*, but by *Russell v. The Queen*, because all that is said by *Russell v. The Queen* about the purpose and object of the Act being the general public good and welfare of the Provinces—every word of that general nature is as applicable to the present law as it was to the law in *Russell v. The Queen*. The object and purpose is precisely the same, and I pray in aid, but I do not desire to detain your Lordships by reading the language of the judgment again, all the observations made in *Russell v. The Queen*, as the basis of that decision as pointing to the distinction I am urging now upon your Lordships, that it is competent to the Dominion to deal with all matters of this sort which are for the general welfare of the