

on constitutional law? If there is, what is proposed by the present course? It has been decided that the Provinces have the power; it has been declared that there is no concurrent jurisdiction; therefore, if hon. gentlemen opposite succeed in establishing concurrent jurisdiction, have they not proved two wrong opinions instead of one? Under the circumstances, is it wise, is it prudent, to attempt to force Dominion authority over the Provinces to the utmost extent? Is it wise to strain the Constitution for this purpose? Is this House prepared to maintain the doctrine that this Parliament is the fountain of all authority? Have the Provinces no authority, no rights? Would it not be well, Sir, to seriously heed the voice of warning that is being raised in the different Provinces? Would it not be well to listen to the notes of discontent that come up from the people down by the sea? Would it not be well to listen to those notes of discontent that come with still stronger force from the far west? Would it not be well to heed the determined opposition to encroachments of this kind that comes from the Province of Ontario? Would it not be well to heed the equally strong though less demonstrative opposition that comes from Quebec? Sir, are there not sufficient difficulties surrounding the Government of this Dominion, owing to its peculiar geographical position, without adding to them a conflict of jurisdiction? We often hear of the friction between the Dominion and the Provinces deplored. What is the easiest way of removing that friction? Let the Central Government cease to rub the Provinces, and the friction will cease. Is it a sound principle that by weakening the parts you can strengthen the whole? Is this Dominion going to be strengthened by weakening the various Provinces? Sir, I believe there is no solid, abiding foundation for the union of these Provinces except in the contentment and happiness of the people in the various Provinces. It is now many years since Junius wrote, that "While the national honour is firmly maintained abroad, and while justice is impartially administered at home, the submission of the subject will be voluntary, cheerful, and I might almost say, unlimited." That is quite as true to-day as it was one hundred years ago. Is this question one confined to any particular section of the Dominion; is it not of equal interest to all of the Provinces? Is it not of equal interest to the far east and the far west, and is there any section with a higher interest in it than the great Province of Quebec? Sir, under our system, it is well known it is exceedingly difficult for men in the open House to oppose the party to which they belong; but there are means still remaining by which, without breaking party lines, members can bring to bear upon their party that pressure to which they are bound to yield. Let us not deceive ourselves, Sir, upon this question of provincial rights. It is a question that cannot be put down by this Parliament; it is impossible to put it down. The people are jealous of their provincial rights, and they will protect them. Party lines may be so sharply drawn as for a time to conceal them, but they exist, and they will assert themselves. Though this Dominion were bound together by bands of iron, it would not resist the constant encroachments which are made upon it and are tending to its injury. It is well known that when iron is subjected to a constant jar, its texture becomes changed; and if this constant jar is brought upon the Provinces, the texture which binds them together will change. Hon. gentlemen opposite claim to have rocked the cradle of this Dominion; let them take care that they dig not its grave. If it is considered indispensable that the smoke of sacrifice shall constantly ascend to political ambition, let something be selected for the sacrifice that the people value less than their Provincial rights, lest they may arise and quench the fire and throw down the altars. It is stated that, in the beginning of this era, the early Christians were frequently given over to wild beasts, because they

refused to burn incense to Jove. Is the Province of Ontario being similarly treated? The indications are that the beasts are given to the Government and not the Government to the beasts. Some of these beasts I know, for I have met and fought them, not at Ephesus, but at other places.

Mr. OUIMET. It may be very satisfactory to the House to hear me announce that I do not intend to make a speech. I only wish to propose a sub-amendment to the amendment. I base it upon the decisions which we have already, and which I take to be correct decisions. I will not discuss them; but I will take them as they might be interpreted by any hon. member of this House, even if he is not a lawyer. The decision in *Russell vs. The Queen* says *en resumé* that the power of totally prohibiting the liquor traffic belongs to this Parliament. The power of prohibiting this traffic, as well as any other traffic or trade, belongs to this Parliament; but when it comes to making regulations, in order to ensure the maintenance of order and peace in the different municipalities, the matter comes under the jurisdiction of the Local Legislatures. Being convinced that such is the true law, and that it would be useless to go to the Privy Council to have another discussion of five or six hours on the same point, and to hear every one propound a different interpretation of the *considerants* and the *exposé* of the learned Judges, I believe it would be more simple to define what would be the legislation in this matter. I think there will be no objection to the words of the sub amendment I propose to move, since they are the very words of the resolutions which were declared, in the case of *Hodge vs. The Queen*, to be perfectly constitutional. I beg to move, in amendment to the said proposed amendment:

"That all the words after 'thereof' in the said amendment be left out, and the following inserted instead thereof:—'it is expedient to amend the Canada License Act of 1883, so as to strike out from said Act all provisions which do not relate to total prohibition of the liquor trade, and leave to the Provincial Legislature, in passing laws for the raising of a revenue for provincial, local, or municipal purposes, to make enactments regulating and determining the matters following, that is to say:—

"(1.) For defining the conditions and qualifications requisite to obtain tavern licenses for the retail, within the municipality, of spirituous, fermented or other manufactured liquors, and also shop licenses for the sale by retail, within the municipality, of such liquors in shops, or places other than taverns, inns, ale-houses, beer-houses, or places of public entertainment.

"(2.) For limiting the number of tavern and shop licenses respectively, and for defining the respective times and localities within which and the person to whom, such limited number may be issued, within the year, from the first day of May of one year, till the thirtieth day of April, inclusive, of the next year.

"(3.) For regulating the taverns and shops to be licensed.

"(4.) For fixing and defining the duties, powers and privileges of the Inspectors of Licenses of their district."

Amendment to the amendment (Mr. Ouimet) negatived on a division.

Amendment (Sir Hector Langovin) agreed to on the following division:—

YEAS:

Messieurs

Allison (Hants),	Dugas,	McGreevy,
Bain (Soulanges),	Dundas,	McLelan,
Baker (Missisquoi),	Farrow,	McNeill,
Baker (Victoria),	Ferguson (Leeds & Gren.),	Massue,
Beaty,	Ferguson (Welland),	Méthot,
Bell,	Foster,	Moffat,
Belleau,	Gagné,	Montplaisir,
Benoit,	Gault,	O'Brien,
Benson,	Gigault,	Orton,
Bergeron,	Girouard,	Paint,
Bergin,	Gordon,	Patterson (Essex),
Billy,	Grandbois,	Pinsonneault,
Blondeau,	Gulbault,	Reid,
Bolduc,	Guillet,	Riopel,
Bossé,	Hackett,	Robertson (Hamilton),
Bourbeau,	Haggart,	Robertson (Hastings),
Bowell,	Hall,	Royal,
Brecken,	Hay,	Shakespeare,
Bryson,	Hesson,	Small,
Cameron (Inverness),	Hickey,	Smyth,