

confined to "prohibit" it retains what my hon. friend and his Quebec *confrères* desire. This would leave to municipal councils, under the law of 1864, the power which they have exercised, of prohibiting.

Mr. OUIMET. I cannot make out the precise meaning of section forty-four. What is it?

Mr. McCARTHY. A certain maximum is provided, but the Council may reduce the number to anything they please.

Mr. OUIMET. That is where the word "restrict" comes in.

Mr. McCARTHY. It is not necessary, as this is already provided for in section forty-four.

Mr. OUIMET. I wish to retain all the powers which we had before.

Mr. McCARTHY. Every power is expressly given in this Act.

Mr. BLAKE. What the hon. gentleman wants, is, that it be not given by this Parliament, which may also take it away; but that they have an inherent right to have this power retained within local jurisdiction.

Mr. McCARTHY. Oh, no.

Mr. OUIMET. I want to retain all the powers which we had before 1867; and I find that not only the power of entirely prohibiting, but the power to limit jurisdiction was given to us by the Consolidated Statutes of Canada.

Mr. McCARTHY. Carried.

Mr. LESAGE (Translation). Mr. Speaker: Before voting on this amendment, I beg leave to give the reasons why I seconded the amendment moved by the hon. member for Laval (Mr. Ouimet). We from the Quebec district are in a somewhat exceptional position. Some of our municipalities have the advantage of possessing no licensed taverns. Now, we consider that, if in certain districts it is deemed advantageous to limit the number of licenses, in certain others, especially where there exist no licensed taverns; supposing the amendment of the hon. member for Rouville (Mr. Gigault), which has been substituted for clause forty-six, be not applied, we shall be left to the mercy of a few ill-minded individuals. These, after having got a certain number of signatures, will simply go to the Commissioners' office, whose duty it will be to grant the license, unless a counter-petition, signed by two-thirds of the voters, be filed, showing that the parties applying for a license are not qualified to hold one. This question is a very important one, and I call to it the attention of the hon. members of the Quebec district, where the present state of things has been for years in existence. Municipal councils, acting often under the influence of the priests, and even of Protestant ministers, think it their duty to enact every year prohibitory by-laws against the granting of licenses in their districts. Now, this present law takes away from the municipal councils the right of refusing the granting of licenses within the limits of their municipalities; and this provision of the law, if it were adopted, would, I believe, be unfavorably received in the district of Quebec, for I may well add that a very small number of votes, in any electoral sub-division, will take the trouble to register their vote in favor of a prohibitory law; and unless a large number do, once a hotel keeper will have recorded in his favor one-fourth of the voters, all he will have to do will be to say: "I did fulfil the conditions of the law," and he will get his license. You may reply that the majority of the voters will have the right to prevent this by filing a counter-petition to the effect of preventing such party from getting his license. But to do this the majority will have to give some reasons against him personally, stating that he possesses a bad character, or that he is deficient in that which the law requires. The case becomes a personal one, and

the question of prohibition goes to the background. I myself, Mr. Speaker, live in a rural district. I practice as a doctor in eleven large parishes where not one licensed tavern exists. In my district the sale of liquor is now carried on according to our Provincial Act, ratified by the Bill now before this House. If this clause be not inserted in favor of our municipal councils I believe this law will not prove, for my district, one of prohibition and temperance, but one of intemperance. For my part, I raise my voice asking that the rights of the municipal councils be maintained. You will never succeed, in our parishes, in inducing the farmers to vote in favor of prohibitory laws. Each one will say: "Let them settle those matters among themselves; I have no time to be bothered with them;" and the ends of the law will be eluded by the fact that it will be impossible to get up a petition to prevent the granting of licenses. I am aware, in my district, that a great number of Protestant ministers, and all the Catholic priests, have united in demanding that the existing laws in favor of the municipalities be maintained. And why? Because they can, from the pulpit or otherwise, notify the council that, at a certain date, a prohibitory law must be enacted in order to prevent the granting of licenses. While if you make it obligatory for each council to vote in favor of a law of prohibition, you will never be able to get the number of votes necessary to establish that law. Consequently, I am very glad I have been called upon to second the motion of my hon. friend the member for Laval. As to the question of constitutionality, I am not competent to decide; but as to the moral question, and as to the rights of our municipalities, I insist that the existing laws be maintained, and I will therefore press with all my power the adoption of this motion.

Amendment (Mr. Ouimet) agreed to on the following division:—

YEAS:  
Messieurs

Abbott,	Fairbank,	McDougald,
Allison,	Farrow,	McIntyre,
Amyot,	Ferguson (Leeds & Gren)	McMullen,
Bain,	Ferguson (Welland),	McNeill,
Baker (Victoria),	Fisher,	Massé,
Barnard,	Fleming,	Méthot,
Beaty,	Forbes,	Mitchell,
Bécharé,	Fortin,	Montplaisir,
Bell,	Foster,	O'Brien,
Benoit,	Fréchette,	Orton,
Benson,	Geoffrion,	Ouimet,
Bergerson,	Gigault,	Paint,
Bergin,	Gillmor,	Paterson (Brant),
Bernier,	Girouard (Jac. Cartier),	Patterson (Essex),
Blake,	Girouard (Kent),	Pickard,
Blanchet,	Gordon,	Pinsonneault,
Blondeau,	Grandbois,	Platt,
Bourassa,	Guillet,	Pope,
Bowell,	Gunn,	Reid,
Brecken,	Hackett,	Richey,
Burpee (Sunbury),	Haggart,	Rinfret,
Cameron (Inverness),	Hall,	Riopel,
Cameron (Victoria),	Harley,	Robertson (Hamilton),
Campbell (Renfrew),	Hawkins,	Robertson (Shelburne),
Campbell (Victoria),	Holton,	Ross (Middlesex),
Carling,	Homer,	Royal,
Caron,	Hurteau,	Scott,
Casey,	Innes,	Scriver,
Casgrain,	Jamieson,	Shakespeare,
Catudal,	Kilvert,	Small,
Cimon,	Kinney,	Smyth,
Cochrane,	Kirk,	Somerville (Brant),
Costigan,	Kranz,	Somerville (Bruce),
Coughlin,	Labrosse,	Springer,
Coursol,	Landerkin,	Sproule,
Curran,	Laudry,	Sutherland (Orford),
Cuthbert,	Langevin,	Tassé,
Daly,	Lesage,	Taylor,
Daoust,	Lister,	Thompson,
Davies,	Livingstone,	Tilley,
Dawson,	Macdonald (King's),	Tyrwhitt,
De Beaujeu,	Macdonald (Sir John),	Vail,
De St. Georges,	McDonald (Cape Breton),	Vanasse,
Desaulniers,	Mackintosh,	Wallace (York),
Desjardins,	Macmillan (Middlesex),	White (Cardwell),