

has brought under his notice as to the administration of the law in the county of Huron. If these facts are correctly stated, as I have no doubt they are, it appears to me that the First Minister should take action in the matter, and should cause the commissioners to be replaced by persons who will attend to their duties better. Similar complaints, have been made to me, and, although I do not possess the personal knowledge which my hon. friend does, still I have no doubt, from the character of my correspondents, that very grave abuses indeed have taken place; and, as in this large county the Act was passed by a majority vote, I think, of 2,000 strong, it is a very gross outrage that the Act should be so abused as my hon. friend has stated. I quite understand that the attention of the Government cannot hitherto have been called to this, but it is now called to it, and I think the hon. gentleman ought to make a note of it, and ought to overhaul or cause to be overhauled the doings of these commissioners.

Mr. FISHER. There are two points in this Bill which I think will have to be discussed before the Bill goes further. One is the enforcement of the Canada Temperance Act by the Boards of License Commissioners appointed under this License Act. In my county, which is a strong temperance county, the License Commissioners are not nearly so much inclined to temperance as is the county. I know they have given licenses for the sale of liquor for medicinal purposes in three out of the five municipalities in the county to hotel keepers, and I am informed that the result is that it will be almost impossible to prevent the sale of liquors in quantities not contemplated by the medical certificate. It is easy to see that, if a hotel keeper is allowed to keep liquor for medicinal purposes, it will be practically impossible to prevent his selling it to his guests. In that way we are practically deprived of the power under the Scott Act to search the house, and to throw the onus of proof on the owner of the liquor, that he has not been selling it for drinking purposes. I think the hon. gentleman from Grey has misunderstood the drift of the remarks of my hon. friend from Huron. The discussion is not as to whether druggists should sell liquor in consequence of their being druggists, but whether these special licenses which are given to one individual in each country municipality for selling liquor for medicinal purposes should be given to people who are inclined to enforce the Scott Act and to act in sympathy with its spirit, or to persons who are likely to try to prevent the Act being carried out. I regret to say that in many instances the commissioners appointed under this Dominion License Act are not in sympathy with the spirit of the Scott Act, and in Scott Act counties, instead of trying to carry out the Scott Act as it was intended to be carried out, they are trying in every way in their power to defeat it. In my own county it happens that the warden, the only member of the Board of Commissioners who is under the control of the people, is a good temperance man, and I know he has done his utmost to have the Act carried out, but unfortunately the other members of the board are not what I can call good temperance men, and the result is what I have described. There is another matter of greater importance still in connection with this Bill. My hon. friend from Huron has alluded to the judgment of the Supreme Court in connection with the Liquor License Act, and I find in that judgment the following:—

"Except also in so far as the clauses of the said Act respectively relate to the carrying into effect of the provisions of the Canada Temperance Act of 1878."

These clauses of the Dominion License Act, which are not *ultra vires* according to the decision of the Supreme Court, are not specified, and it is a little difficult, I think even for a lawyer and certainly for a layman, to find out which clauses are *intra vires* and which are *ultra vires*. I am particularly interested in clause 145 of the Dominion License

Act. The right hon. gentleman will remember that this clause has already occasioned some little discussion in this House. This took place when the amendments to the Scott Act were before the House and the repeal of this clause was proposed. That Act provided that this 145th clause, which the temperance people feared would create a good deal of confusion in carrying out the Scott Act, should be repealed. In consequence of the fate of that Bill so far, I am not sure whether it will become law. I understand that the other day, when the Bill to which I refer came back from the Senate with some amendments, my hon. friend from Lanark (Mr. Jamieson) asked the Government to name a day when the amendments could be considered, and the Government took no notice, as I am informed, of that request. At the present stage of the Session I suppose it would be rather difficult for this Bill, being in the hands of a private member, to be reached and carried through the House unless the Government will promise to facilitate its progress in the same way as it was facilitated in its earlier stages. If that Bill becomes law, as I said before—which I am afraid will not be the case—this 145th section will be repealed. But, Sir, I believe that in this Bill of the hon. gentleman we have a very easy method of accomplishing that object, irrespective of the Scott Act Amendment Bill, and if the hon. gentleman will just add a clause to this Bill stating that the 145th clause of the Liquor License Act of 1883 shall be repealed, he will accomplish that object specifically.

Sir JOHN A. MACDONALD. That question has already been dealt with during this Session.

Mr. FISHER. It may be that it cannot be done. I have not had sufficient parliamentary experience to know what steps are open for us to take; but if that can be done by addition to this Bill, I would be glad indeed if the right hon. gentleman would take it upon himself to move that addition. I know the other Bill passed through this House repeals the clause to which I refer, although in consequence of other amendments it may not become law. Still, there has been a very decided expression of opinion in this House upon that point, and if there is any way, according to the procedure of this House, by which this clause can be repealed by the present Bill, I think we would be obtaining the result aimed at by the people and approved by a large majority of this House.

Sir JOHN A. MACDONALD. This Bill has only the one object of suspending the operation of the Liquor License Act until the decision of the Judicial Committee of the Privy Council is obtained. That committee has entertained the appeal and it will be disposed of, I presume, in the course of this season. This Bill, which is in effect the resolution introduced by the hon. member for West Huron (Mr. Cameron) carries with it the suspension of the Act until it is known what may be the ultimate fate of the measure known as the McCarthy Act. The hon. gentleman suggests that this clause should be more specific in stating what portions of the Liquor License Act shall be suspended. Well, I think it is better to leave it as it is. The answer of the Supreme Court here will speak for itself, but it is better that it should be in general terms in this clause, rather than that we should select from that very short answer and state our idea of what portions that have been suspended. The remarks of the hon. member for Huron about the abuses under this Act, have reached me and have reached my colleagues, for the first time. Any such abuse as he states must be dealt with, but I do not suppose it can be dealt with in this Bill. I never heard before that there could be such a total disregard of the spirit of the Act. The hon. gentleman says that a doctor, not a tavern keeper, gave a certificate for a gallon when a pint would do for medicinal purposes. That man must be an allopath, and he is resolved not to give homœopathic