

Mr. LAWSON: I fear then that this provision may be the cause of a good deal of difficulty, which I am sure the minister does not wish to see arise. I have always regarded customs officers as law enforcement officers. I am not suggesting by that that they should be policemen and arrest people for offences other than those under the Customs Act; but I have always thought it their duty if, for instance, I were bringing in something which it was illegal for me to have, to prevent me from entering the country with that article. I would have an opportunity of leaving it or going on at my hazard. I have known cases in the past where customs officers have reported to the provincial or local police that in their opinion breaches of provincial law were being made. Here we are providing for each Canadian returning to this country a declaration form, and unquestionably, I take it, there will be printed on that form a copy of these very provisions for the guidance of the returning tourist. I am sure the average layman is not aware of the fact that it is illegal for him to have in his possession in any province liquor not purchased from the provincial liquor commission, and surely he is going to be misled by a statement specifically contained in a dominion law, from which he will draw the conclusion that it is quite right and proper for him to bring in a quantity of alcoholic beverages not exceeding one quart.

Mr. DUNNING: My hon. friend said that he had a suggestion.

Mr. LAWSON: My suggestion is this, alternatively, that in view of the fact that it is illegal according to the law of every province to have liquor in one's possession, surely the words are entirely superfluous. Why not cut them out entirely? You gain nothing by putting this in, and you deceive the Canadian public. The minister shakes his head, but—

Mr. DUNNING: The hon. member says that we gain nothing by putting it in.

Mr. LAWSON: Not by putting it in. I think the Minister of National Revenue (Mr. Ilesley), who is a lawyer, will agree with me—

Mr. DUNNING: Oh, as a lawyer, yes.

Mr. LAWSON: —that if it is illegal for any person to have in his possession in Canada alcoholic beverages not purchased from the liquor commission of the province in which he has them, then obviously your customs official at the border would confiscate alcoholic beverages in the possession of any person endeavouring to import them, or warn him that he must not bring them into the country.

Therefore I say that if you leave that provision in, you may be the cause of deceiving some lay mind. In any event I am unable to see where you gain anything by having these words in the exempting proviso.

Mr. ILSLEY: In reply to the hon. gentleman who has just spoken, let me point out the language of the proviso. It is as follows:

Provided that a resident of Canada shall not be entitled to the exemption herein granted within a period of four months from the date of the last exemption allowed, nor shall the exemption be allowed on alcoholic beverages in excess of one quart.

That proviso has no necessary connection with any other legislation. It has no necessary connection with the legislation passed by the various provinces. All this says is that from this time on we do not propose to allow them to bring in a hundred dollars' worth of liquor. We do not, as a revenue matter, propose to do that, and we have to put that proviso in. So far as we are concerned the exemptions shall not extend to more than one quart of liquor. If the importation of that quart is prohibited by some other law, that is something with which we are not dealing in this particular legislation. The law of a province or any other law of this parliament that deals with the importation of liquor is another matter; it may last a long time or it may last a short time. But our revenue provision, the negative or restrictive provision, enacts that in exercising their right to this \$100 exemption travellers shall not expend that full one hundred dollars in liquor; they shall be limited to one quart. Of course if the provinces have an objection to this quart of liquor coming in they may undertake to prosecute, or they may indicate that it is their intention to regard this as an infinitesimal thing, as a mere trifle. If it be their intention to prosecute or to take exception to the admission of this liquor, the returning Canadian cannot bring it in while their law and their attitude remain what they are. But our position is just that we limit that exemption on liquor to a quart.

Mr. LAWSON: It requires no legal argument of the Minister of National Revenue to convince me as to what the provision means. I realized what it meant as soon as I read it. But I say that you are handing to the average man coming back to this country, who is not a lawyer, something to read which he thinks tells him what is legal and what is illegal for him to do in respect to bringing goods into Canada. He reads that he cannot bring in more than a quart of liquor. Does he not naturally infer that he can bring in a quart? I suggest that the department gains nothing