

Officers, do you think it was in contemplation in this Statute that there should be different—I will not call them Municipal Institutions, because that perhaps is begging the question—but different Institutions having authority over the same subject matter in the same Province ?

Sir FARRER HERSCHELL : I should say it certainly was, and I will give your Lordships an illustration. Of course that matter has not come before your Lordships, because I do not know that its validity has been doubted, but it affords a good illustration. The Dominion Parliament of Canada passed in 1878 the 41st Victoria, cap. 17, "An Act for the better prevention of crimes of violence in certain parts of "Canada," and by that Act enabled the Governor-General to proclaim a district. When he had proclaimed that district nobody could carry or sell arms unless he had a license, and that license was granted by certain persons appointed by the Governor in Council. It was an individual or individuals, I do not know whether there were, but it is quite possible that there were in some of the provinces, provisions requiring a license for the carrying of arms for fiscal purposes, I am told there was not any, but that there might have been is perfectly clear. Of course this Act would only have its local operation in the proclaimed districts, and it might be in the particular Province. Could it have been suggested here : this Act is invalid because there is a licensing provision in it, and because by its setting up the people in that district who are to grant licenses you are creating a Municipal Institution ; you are creating Dominion Officers or Officials who are to determine what licenses are to be granted in that proclaimed district. Then take the case of adulteration ; I suppose it could hardly be questioned that that is a matter with which the Dominion Parliament might deal throughout the Dominion by making it an offence to adulterate. There are persons, I believe, appointed by the Dominion Parliament for the purpose of investigating questions of adulteration somewhat similar to the persons we have here. They are appointed in particular places ; they act in those places locally, but they are Dominion Officers and Officials. There was an Act passed in 1874, extending to the whole Dominion, to make better provision respecting the inspection of certain staple articles of Canadian produce and the Governor-General from time to time is to designate the places to which it is expedient to appoint Inspectors of the several articles mentioned—flour and meal, wheat and grain. They held office during pleasure, and they