

the Scott Act did not come under sub-sections 9, 13 or 16 of section 92 of the British North America Act: any one can see that that Act is not a law providing for licenses for provincial purposes, that being a purely local matter.

HON. SIR ALEX. CAMPBELL—I have considered the suggestion made to adopt the Bill *en bloc* and upon conferring with my hon. friend from Ottawa on the subject I have concluded not to introduce the amendment which I had placed in my hands by the Chairman of the Committee in the other House, but to let the Bill go as it is. I move that the Committee rise and report the Bill.

HON. MR. FERRIER, from the Committee, reported the Bill without amendment.

HON. SIR ALEX. CAMPBELL moved that the Bill be read the third time presently.

HON. MR. SCOTT moved in amendment that the Bill be not now read the third time but that its consideration be deferred until the question of jurisdiction over the issue of licenses whether by the Federal Parliament or Provincial Legislatures, shall have been first decided.

The Senate divided on the amendment which was rejected by the following vote:—

CONTENTS :

Hon. Messrs.

Alexander,	Haythorne,
Armand,	Pâquet,
Baillargeon,	Power,
Bellerose,	Pozor,
Chaffers,	Scott, and
Guévremont,	Wark,—12

NON-CONTENTS :

Hon. Messrs.

Boucherville, de	Macpherson,
Campbell,	(Speaker),
(Sir Alexander),	Masson,
Carvell,	Miller,
Chapais,	Montgomery,
Dever,	Nelson,
Ferrier,	O'Donohoe,
Flint,	Plumb, and
Girard,	Trudel.—17
McKay,	

HON. MR. TRUDEL—To be consistent with what I have said on the

question of jurisdiction I will move that the following be added as a new clause after clause 144 :

145—Nothing in the present Act shall be construed as prejudicial to the rights of the local legislatures to deal with the matters reserved to their jurisdiction by the British North America Act, 1867.'

I think such a clause as that would represent the opinions of many of the members who voted for the Bill without prejudice to the question of jurisdiction. It was an argument used by some of the opponents of the Bill that the present action of Parliament would be invoked before courts of justice as to a certain extent settling the question, and this clause would prevent anybody from contending before courts of justice that the passing of this Bill was an abandonment of provincial rights or that it was the intention of Parliament to prejudice those rights.

HON. MR. MILLER—My hon. friend has stated that this clause can do no harm, but it certainly can do no good. I contend that it can do harm in this way: that it will place this Parliament in a false position. We have no power prejudicially to interfere with the rights or jurisdiction of the local legislatures, and if we did attempt to interfere prejudicially with them, our action would be *ultra vires*, and it would be so decided in the courts. My chief objection in voting for an amendment like this is, it would appear as if Parliament knew no better than to suppose that we had the power to take away the rights of the provinces on this subject or any other subject.

HON. MR. MASSON—It would affirm our right to do so.

HON. MR. MILLER—Certainly, and would do no good.

HON. SIR ALEX. CAMPBELL—I hope my hon. friend from DeSalaberry will not press his amendment.

HON. MR. TRUDEL—I wish my motion to be on record in the Journals of the House.

HON. MR. BELLEROSE—I fail to see that this amendment can do any good. I