

to be vitiated or set aside by reason of any mere want or defect of form, or any irregularity in the drawing up or execution of the same.

11. The decision of the majority of the electors against the granting of licenses as declared at the poll, shall come into force on the then ensuing license year, beginning on the first day of May, and such prohibition shall continue in full force for such year and any future year until repealed.

Mr. BLAKE. Does any member defend the Committee's clause?

Sir JOHN A. MACDONALD. The hon. gentleman who moves this amendment was one of the Committee.

Mr. McCARTHY. The hon. member insisted on this clause in the Committee.

Mr. BLAKE. But he was not able to secure a majority.

Mr. RICHEY. Before the amendment is considered I should like to enquire whether the hon. gentleman would not specify all the municipalities which he wishes to include within it, because there is a possibility of the same difficulty cropping up under this section as we endeavored to dispose of under the other section. I would ask that any other municipality, or village, or parish, or township might be named.

Mr. CAMERON (Victoria). That is a question of detail. I think it objectionable on principle to adopt the clause *in toto*. As far as I understand it, it seems to be an application of the Scott Act, to minor municipalities, towns and villages. If that be so, I think that on principle, it is objectionable—at any rate for introduction into this Bill. If it be thought desirable at a future time to amend the Scott Act in the direction my hon. friend proposes, that can be done in the proper way by amending that Act. This is introducing into this License Bill a provision of the Scott Act, extended to villages and townships. It was considered, when we were passing the Scott Act, that to apply it to counties as a whole, was going as far as the best interests of temperance rendered advisable. The effect of passing a clause of this kind and having it made law in particular villages or townships, and of not having it enforced, would undoubtedly do more injury and harm to the cause of temperance, than if it had never been passed at all. For these reasons, I will vote against its adoption.

Mr. ROSS (Middlesex). I think that the best thing to do is to accept the clause of the Committee, clause 46. I notice that my hon. friend, the Chairman, has lost all confidence in the report of the Committee which he submitted to the House, and fails now to come to time; the proposition of my hon. friend is exceedingly complicated and open somewhat to the objection raised by my hon. friend from Victoria. We have the Scott Act applying to large areas, its machinery is somewhat extensive and the cost of it somewhat expensive, and let us leave the turmoil and confusion of the Scott Act to the larger areas, and as to the smaller areas, let us adopt this simpler and equally effective machinery, which I think will be productive of very good results. The Committee acted very wisely in submitting a report containing this clause, and although unable to support everything which they have proposed heretofore, I support this provision.

Mr. JAMIESON. Although I will go as far as the hon. member for Middlesex for prohibition and vote for it at any time, I am not prepared to insist on this provision, clause 46. I think that we ought to approach this question in a spirit of fairness to all interests concerned. When we come to legislate on prohibition, it will be another matter; but we are now legislating in the direction of the regulation of the liquor traffic. Objections have been urged against the principle of petition, and perhaps a good deal is to be said against it. All I think we are entitled to now, however, is to have restored to us the provisions which were taken away by the Scott Act. It will be remembered that the old Dunkin Act of 1864, permitted electors in

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minor municipalities to vote in favor of prohibition; but under the Scott Act of 1878, this right was taken away and prohibition was confined entirely to county municipalities. I think that the temperance people of the country are entitled to have restored to them, either in this Bill or by amendment to the Scott Act, what the latter took away; and it would be better that we should either adopt the amendment of the hon. member for Rouville, or receive some guarantee from the Government that they are prepared to accord it either at this or at next Session, by amending the Scott Act. This seems to me to be a fair proposition; and I think it will meet with the approbation of the House, both of temperance men and of those who represent the licensed victuallers. The hon. member for Victoria made some reference to the evils which flowed from the enforcement of prohibition in minor municipalities; but in my constituency some years ago two townships adopted the Temperance Act, and since then have successfully resisted all efforts to repeal that Act, so that it is still there the law. I saw the gentleman in charge of the Bill smile a moment ago at the remark I made with regard to the by-law in force in my own town. I would just refer to it here, because I will ask for an amendment to prevent the issue of shop licenses under this Act. It will be remembered that the Ontario Municipal Act of 1866, irrespective of the provisions of the Dunkin Act, permitted Municipal Councils to prohibit the sale of intoxicating liquors in shops, if they so thought proper. Under it, the municipality in which I live took action, and in 1869 the sale of liquor in shops was prohibited, and this has never been repealed. When we come to subsequent sections we will be able, I think, so to amend this Bill as to prevent the issuing of licenses in this municipality, which is perhaps the only one in the Province where such a state of things exists.

Mr. GIGAUT. I have no objection to vote for clause forty-six, as reported by the Committee; but I heard some supporters of the Government and others say that they had some objections against the petition system, and that is why I gave notice of the amendment I have moved. It has been said that the right hon. Premier promised—I do not know whether this is true or not—that none of the restrictions enacted by the Provincial Legislatures would be removed. We know that in Quebec that our local councils have always had the right to prohibit the sale of liquors. Since Quebec has existed, this right has always been given to municipalities. Even cities have a special clause in their charters, declaring that their councils had the right to prohibit the sale of liquors. This principle has been admitted into our Statutes and has there remained. The Scott Act was adopted in 1878, but the Quebec Legislature has never thought of amending the local law I have mentioned. We have the Scott Act in force, I think, in very few of our counties, but practically we have it—under the local law—in many municipalities. I think that one of the great defects in the Ontario law was that the people did not sufficiently control the granting and renewal of licenses. That is not my affair. The Ontario members can keep their law to suit themselves; but I think that the people of the Province should have more control in this matter. This it was what they complained of in England, and we saw that on the 22nd of April last a motion was carried in the British House of Commons, recognizing the principle that the persons mostly interested were the inhabitants themselves, and that consequently they should have some control over the granting or the renewal of licenses. The following is a motion which was moved in the House of Commons by Sir Wilfrid Lawson:—

"That the best interests of the nation urgently require some efficient measure of legislation by which, in accordance with the resolution already passed and reaffirmed by this House, a legal power of restrain-