

he not know that, in 1873, five years after Confederation, all those enactments were repealed, and that a new enactment was passed contained in the fourth series of the Revised Statutes of Nova Scotia, chap. 75, by which the legislation of the Province before Confederation, and down to 1873, was swept away, and an enactment generally controlling this subject and affecting this traffic was passed in 1873. What, then, would be the position of this trade in Nova Scotia and in the other Provinces—for I find that the same fact applies to them all—if the amendment were adopted? I have before me the License Laws of the various Provinces. In New Brunswick an Act regulating this traffic was passed in the forty-first year of Her Majesty's reign; in Nova Scotia, such an Act was passed—as I have said—in 1873; in Prince Edward Island, an Act was passed in 1876; and we know, of course, as regards Manitoba, that the law there has also been brought into being since Confederation—so that now we are called upon, with regard to all the Provinces outside of Quebec, not to maintain existing laws, but to overleap them, as passed by the people's representatives, declaring their sentiments with regard to this trade since Confederation, and to go back to anterior legislation, which would work confusion throughout the whole system which we are endeavoring to inaugurate. I think we cannot place ourselves in that position, and that whilst there may be a semblance of unfairness in rejecting a resolution which is identical almost in phraseology with one which has been adopted, it is only a semblance of unfairness. There is the very essence of consistency in it, because we are endeavoring to maintain throughout the Dominion the same order of legislation. We have endeavored to embody in this Bill every material clause, and to apply to the whole Dominion all that we have found in the various Acts in force at the time it was submitted to us. The hon. member for Digby has gone further, and referred to the powers given to the Sessions; but how will this amendment touch that? It refers to municipalities. It is true that they may be the heirs of the Sessions, but here will come up the question of construction and interpretation. This is one illustration, still further that by adopting this amendment, we should work confusion in our whole system. The Sessions were not municipalities; which have since been formed, and are altogether a distinct organization. He has also referred to another enactment with regard to the sale of intoxicating liquors within the limits of railways; that is an enactment of the legislature, not a power, I take it, conferred upon the municipalities to restrain. This is one of the clauses which may be introduced into this Bill if we think proper; but it does not come within the purview of the amendment before the House. I trust that this explanation is sufficient to satisfy hon. gentlemen that in voting against this amendment as I feel bound to do, in maintaining the very principle of the Bill before us, we are not at all guided by a disposition to do one thing towards one Province and another with regard to the other Provinces, but as far as possible to have the same system applied to all.

Mr. ROYAL. I do not rise to speak on temperance, for which I have, moreover, no inclination; but, as we are to vote on this amendment, to state that if I vote against it I am not voting against the rights of the Provinces. Appeals have been made before six o'clock by some hon. gentlemen on this side of the House, to members from Quebec, not to vote down the amendment moved by the hon. leader of the Opposition. Now, Sir, I do not believe that the Opposition constitute the Province of Ontario. On the contrary, I believe that the opinion of the Province of Ontario is represented by the majority of the hon. members from that Province in this House. Nor do I believe, on the other hand, that we have the right to revive a piece of legislation which has become defunct or has become superseded after a lapse of

time by an Act of the same Legislature. I am a member of the Committee which prepared this Bill, and though no doubt the larger share of the honor in connection with the Bill will fall to the lot of the Chairman of the Committee—so much so, that I believe that this Bill will be known in the future as the McCarthy Act—but I say as we have all been engaged in the preparation of that Bill, I believe it is our duty to save it from the confusion which would result if co-ordinate powers were established. We have already a plebiscite organized by which the municipality may decide on the question of whether liquor shall be sold or not. That plebiscite will work very well, but if the amendment is adopted another plebiscite will be established less perfect and less complete than this one. For these reasons I will vote against the amendment.

Amendment (Mr. Blake) negatived on the following division:—

## YEAS:

## Messieurs

Armstrong,	Fleming,	McIntyre,
Auger,	Forbes,	McMullen,
Bain,	Geoffrion,	Paterson ( <i>Brant</i> )
Béchar, d,	Gillmor,	Pickard,
Bernier,	Gunn,	Platt,
Blake,	Harley,	Robertson ( <i>Shelburne</i> ),
Bourassa,	Holton,	Ross ( <i>Middlesex</i> )
Burpee ( <i>Sunbury</i> ),	Innes,	Scriven,
Campbell ( <i>Renfrew</i> ),	Kestler,	Somerville ( <i>Brant</i> ),
Casey,	Kirk,	Somerville ( <i>Bruce</i> ),
Casgrain,	Landerkin,	Springer,
Catudal,	Lister,	Sutherland ( <i>Oxford</i> ),
Davies,	Livingstone,	Thompson,
De St. Georges,	McMillan ( <i>Huron</i> ),	Trow, and
Fairbank,	McCraney,	Vail.—18.
Fisher,		

## NAYS:

## Messieurs

Amyot,	Dupont,	McDougald,
Baker (Victoria),	Farrow,	McNeill,
Barnard,	Ferguson (Leeds & Gren),	Massue,
Beaty,	Ferguson (Welland),	Methot,
Bell,	Poster,	Mitchell,
Benoit,	Fréchette,	Montplaisir,
Benson,	Gigault,	O'Brien,
Bergeron,	Girouard (Jacques Ct'r),	Orton,
Bergin,	Girouard (Kent),	Quimet,
Billy,	Gordon,	Paint,
Blondeau,	Grandbois,	Patterson (Essex),
Bowell,	Guilbault,	Pinsonneault,
Brecken,	Guillet,	Pope,
Cameron (Inverness),	Hackett,	Reid,
Cameron (Victoria),	Haggart,	Richey,
Campbell (Victoria),	Hall,	Riopel,
Carling,	Hawkins,	Robertson (Hamilton),
Caron,	Hickey,	Royal,
Cimon,	Homer,	Scott,
Cochrane,	Hurteau,	Shakespeare,
Costigan,	Jamieson,	Small,
Coughlin,	Kilvert,	Smyth,
Coursol,	Kinney,	Sproule,
Curran,	Kranz,	Tassé,
Cuthbert,	Labrosse,	Taylor,
Daly,	Landry,	Tilley,
Daoust,	Langevin,	Tyrwhitt,
Dawson,	Lesage,	Vanasse,
De Beaujeu,	Macdonald (Kings),	Wallace (York),
Desaulniers,	Macdonald (Sir John),	White (Cardwell),
Desjardins,	McDonald (Cape Br'tn),	Williams,
Dickinson,	Mackintosh,	Wood (Brockville),
Dodd,	Macmillan (Middlesex),	Wood (Westmoreland),
Dugas,	McMillan (Vaudreuil),	Woodworth, and
Dundas,	McCarthy,	Wright.—105.

Mr. WHITE (Cardwell) moved:

That the Bill be re-committed to a Committee of the Whole to amend section forty-six by expunging the words "the majority" in line four thereof, and inserting the words "a majority of three-fifths" instead thereof,—and to amend sub-section eleven, by expunging the words "the majority" and inserting instead thereof the word "three-fifths."

He said: The effect of this amendment would be to provide in what is ordinarily known as the local option clause which