

whether a man, wrongfully deprived by means of a petition of securing a license, could obtain one for many years to come. I am not prepared to suggest a change, but I think a proper way would be to strike out the clause altogether.

Mr. FOSTER. The hon. member for Victoria objected to this sub-section on the sole ground that petitions were very easily got up. He did not say he objected to the principle of allowing the people in a community to be what they certainly are, the best judges in the matter of granting licenses. If he objects to the petition system will the hon. gentleman suggest any better way to which the people may express their opinion? Or does he go against the proposition, which I think is a very evident one, that no person knows the wants of a community so well as he who lives in it. I think there are a great many considerations on the other side of this question as to why this clause should be maintained in principle, whether it be literally retained or not. The chief of these is that the people of a community are the best judges of their own wants. They are the ones who have to support the institution, and to meet the difficulties that are thrown in the way of a community by the licensed shop, and, I think they are the ones who should have something to say in the matter. Already in the city of Montreal, and I think, in the city of Quebec, the people have this power conferred upon them, and in any municipal district may block an application for license by a majority petition. This petition is very well guarded. It has to be attested to on oath and is liable to revision in open court, and that takes away a good deal of the objection to what may be called the general petition system. In the city of Montreal last year they closed some very objectionable places by the exercise of this power; and I think it is hard that a right the people already possess in every municipality in the Province of Quebec, should be taken from them. If hon. gentlemen object to the petition system, let them take the ballot system; but I do plead for the people of every community having the right to say whether one of these institutions should be placed in their midst.

Mr. ROBERTSON (Hamilton). It is a well-known fact that a petition can be obtained from almost any person; and when we consider the fact that any person can go about, even ladies, and get petitions signed in this way we must be very careful how we give parties the right of petition with reference to this question. But there is another reason. I submit that it is the intention of the Government, as I understand them, that this Bill is not to be, so far as Ontario is concerned, more restrictive than the Crooks Act. Now, the Crooks Act has no such clause as this in it. I know from experience that even politics will be introduced into this petition system; and that because a man does not happen to be of the same politics as the majority of the people who live in that particular section, he will be voted out and not allowed to have a license, although he may be in every way qualified; and although, as in many cases that I am aware of, he has maintained a licensed house for many years, yet, because a sentiment of that kind might arise in the neighborhood, a man's vested rights might be interfered with and his property cut from under his feet. Now, I ask the Government not to press a clause of that kind which goes so far beyond what the Crooks Act has heretofore made law in Ontario. I submit that clause ought to be struck out altogether; it is quite sufficient to have it in the hands of Commissioners who are supposed to be dispassionate persons and who act according to their judgment in each case that comes before them.

Mr. ROSS (Middlesex). I think the hon. gentleman is not the man who should quote the Crooks Act in this House. The Crooks Act was passed by the Ontario Legislature; we are dealing with the question *de novo*, and if he wants only the restrictions of the Crooks Act, let him sup-

Mr. BERGIN.

port the Legislature of the Province in regard to this matter, and then he will have the Crooks Act restrictions, nothing more and nothing less. I think this is one of the best and most valuable clauses in the Bill. The hon. gentleman says that perhaps ladies may go round soliciting signatures to the petition asking for a reduction of the number of licenses or for prohibition in any case. I do not see why the ladies should not have the right of petition. I think the supporters of the hon. gentleman propose to give the ladies the franchise. Now, if ladies are going to be qualified to vote on this and other questions, qualified to vote on the question of sending my hon. friend to Parliament, why should they not be qualified to circulate petitions? Moreover, not only is this a small proposition in itself, but it is commended in almost all the Provinces except Ontario. As the hon. member for King's (Mr. Foster) has said, it is already admitted in Montreal and Quebec. Now, the Provincial Legislature of New Brunswick has enacted that no license of any kind shall be granted where a majority of the ratepayers petition against it. In Nova Scotia, a license is granted by the sessions in each county on recommendation of the grand jury, concurred in by two-thirds of the number present, and on petition of two-thirds of the ratepayers of the polling district. In Prince Edward Island, a majority of the ratepayers say whether a license shall be granted or not. In British Columbia, a license is granted on petition of two-thirds of the residents to the magistrates to whom application is made; and in Manitoba, outside the city of Winnipeg, sixteen out of every twenty electors, who are resident ratepayers, must support the petition before it is granted. So the proposition in the Bill before us is practically conceded by six out of the seven Provinces. We have then the judgment of six Provincial Legislatures that this is a wise provision. The wholesale traffic is regulated in these six Provinces under somewhat similar provisions, in some cases more stringent. I am glad the Committee have introduced this clause, and I propose to support it just as it stands.

Mr. FISHER. The hon. member for Hamilton objects that under this clause a license might be refused for political reasons. I cannot see, if the general opinion of a municipality is in favor of granting licenses, how it is possible that a majority should try to cut out one of their political opponents when at the same time they must therefore prevent any of their political friends having a license. I think this clause of the Bill will effectually prevent any political considerations entering into the question. The hon. gentlemen said it was the general understanding that this Act should not be more restrictive than the Crooks Act. I have heard no such pledge from the Government of the day; I have not understood this Act was to be modelled upon the Crooks Act nor that the Crooks Act was to restrict this Act in any way. I do not see why the other Provinces should be deprived of the continued benefit of this clause because Ontario has not hitherto had the advantage of it. The people of the Province of Quebec have this clause, not only the people of Montreal and Quebec but also those of rural municipalities, and it will be a source of great injustice to the Province of which I am a representative, if this clause should be struck out, for thereby it will be deprived of one of the many advantages of this new Act.

Mr. ORTON. We have already the Scott Act, which can be used in any part of the country, and we have local option in regard to counties. If you extend that power, the results will be still more disastrous than they have been proved to be in regard to the Scott Act. Any municipality may, by this Act, do away with tavern licenses; the result will be to place the trade in the hands of a very inferior class of men, who will sell impure ardent spirits, instead of beer and native wine, which are now becoming more largely used in the country. There is another objection, that in a