

amendment is also by way of striking out the provision which enabled the prosecution of any one who violated this law, by sending liquor into a prohibition province from an outside province, to be instituted at the place whence the liquor was sent.

It is the second time this House has enacted that provision. Last year the Senate struck it out in the same way. That, too, is an amendment which, I must confess, I would describe myself as submitting to, rather than accepting. I think the section was essential to the proper enforcement of the law. But, for the same reason, I do not propose to ask the House to reject it. I do not look upon the third amendment as open to criticism. I refer to section 4 B. The section as it passed this House gave a right of search for liquor in cases where a violation of the law was suspected, to any constable or other peace officer who had reason to believe that any intoxicating liquor was in any premises or place, in violation of the provisions of the Act. The Senate has thought it wise—and I do not purpose to offer any observation on that amendment—to make that right of search subject to information being laid, and to it being established before any judge of the sessions of the peace, recorder, police magistrate, stipendiary magistrate, two justices of the peace, or any magistrate having the power or authority of two or more justices of the peace, that there is reasonable cause to suspect that the liquor is within the premises. I do not desire to offer any criticism of that, but will be prepared to accept it.

I move that the amendments be concurred in, without withdrawing the observations I have made with regard to the first two amendments.

Mr. PUGSLEY: The amendments seem to be so important and so contrary to the views of the temperance people throughout the county, that I should think the minister, entertaining the strong views he does upon the question, would prefer to avail himself of the power which is conferred by the rules and practice of Parliament, of having a conference between members of this House, to be appointed for the purpose, and a committee of the Senate, for the purpose of fully discussing the matter with a view to seeing if the section could not be agreed to as it was passed by the House, or at all events, if a section substantially to the same effect could not be adopted, which might, to a reasonable extent, accomplish the object the Government had in

[Mr. Doherty.]

framing the section. It seems to me that my hon. friend ought not to abandon the matter just now by concurring in the amendment which has been made by the Senate in the striking out of this section.

Mr. DOHERTY: If I had any ground for believing that the conference—

Mr. PUGSLEY: My hon. friend does not know what his persuasive powers might accomplish.

Mr. DOHERTY: I have endeavoured to exercise them so often on the member for St. John with so little success that I have almost begun to lose faith in them. Speaking seriously, if I had hoped that the desired result would be obtained, I certainly would have followed the course which the hon. member suggests. But I have excellent reasons for believing that it would not produce the effect which my hon. friend, and I with him, would like to see produced. On the other hand, we have by this legislation, even as it stands, a clause with regard to search which is a great improvement on the law as it stood. We have furthermore a clause which is a great improvement and which has been urged on me by the temperance people in different provinces. This clause makes possible the suspension of the Canada Temperance Act, without resorting to another election, in counties where it is now in force and where the prohibitory law of the province is, in the judgment of the Governor in Council, as restrictive as the Canada Temperance Act. I think that the probability of concurrence by the Senate in the clause that they have struck out is so remote as not to justify our running any risk of losing what they have left to us of the Bill—which, I think, is of value.

Mr. PUGSLEY: There would be no risk of losing what has been enacted. If nothing resulted from the conference, we should still have the other features of the Bill.

Mr. DOHERTY: Yes, if we got it through in sufficient time to deal with the matter again in this House.

Mr. PUGSLEY: There is quite enough time.

Mr. DOHERTY: There are other things to do.

Motion agreed to, and amendments concurred in.