

Mr. ROSS (Middlesex). In Prince Edward Island, if two-thirds of the people petition against it, no license can be renewed.

Mr. McCARTHY. Yes; and we have made that very provision in this Act. But what we are now dealing with is, in point of fact, an extension of the Scott Act. We are dealing with the question whether it is wise and prudent to extend the Scott Act to a smaller area than a town or city; and hon. gentlemen say, why should not the Scott Act be carried out? The hon. member for West Durham spoke about the majority governing this and governing that. I ask, could a law be passed by the majority of this House signing a petition in favor of it? No, we would want to hear it discussed, and decide openly in this House by our votes. So, the question involved here is whether the people shall decide by petition, or by recording their opinions by their votes at the polls. There are local option laws of many kinds, but everyone of them contains a provision for voting. If I am not mistaken, the hon. member for Rouville has taken his amendment from one of the Australian laws; and I would like to know where, in any British colony or British country, any law is made by petition. That is the question before us—whether we are to adopt a petition as final, or whether a vote must be taken. But I do not stand here without authority, and I have an authority which I hope hon. gentlemen opposite will accept. In the *Globe* of to-day the system is condemned in unmeasured terms, and it is pointed out that the proper way is to submit the question to a vote of the people:

"The clause respecting the exercise of the power of local option on the larger scale provides that where a majority of the Parliamentary electors of a municipality petition against licenses, no licenses shall be granted, and that if they petition for a limitation in the number the Commissioners shall not exceed the limit. Each petition is to have effect until superseded by another indicating a change in the popular will. It is open to serious question how far this system will be at all workable outside of the smaller municipalities, as there is a provision that each petition shall be accompanied by the affidavit of two electors stating that each of the signatures or marks at the foot of the petition is that of the elector indicated by it, he being a Parliamentary elector. Whether this is the intention of the framers of the Bill or not, a strict construction of this clause would make it necessary that the same two electors should swear to the genuineness of every signature on the petition, which would render this method of procedure a practical impossibility in a much smaller city than Toronto. If it is simply the intention that each signature shall be duly authenticated by two electors without its being necessary that the same witnesses should identify all the signatures, the wording of the clause should be changed. It will be a sufficiently arduous undertaking to secure a majority of the electors by the clumsy and cumbersome fashion of getting signatures to a petition—without throwing an insuperable obstacle in the way by requiring the same two witnesses to swear to every man's signature and identity."

And a little further down:

"The Local Government has the municipal machinery in its hands. As an addition to the Crooks Act, local option in the form of a veto, either upon all licenses, new licenses or licenses above a fixed number, would be easily worked. The electors could cast their ballots on this issue at the regular municipal elections, at a very slight additional trouble and expense, as under the Massachusetts law."

And again:

"That such an awkward and cumbersome system should have been adopted to carry into effect the local option principle, is another evidence of the difficulty of dealing with the matter at all."

Mr. ROSS (Middlesex). The hon. gentleman did not read that rightly:

"That such an awkward and cumbersome system should have been adopted to carry into effect the local option principle, is another evidence of the criminal blundering of the Dominion Government in attempting to rob the Provinces of their appropriate and constitutional functions."

Mr. McCARTHY. My hon. friend insisted on that "criminal blundering." I think I have said enough to show that these hon. gentlemen ought to read the *Globe* newspaper.

Mr. ROSS. I want to read another sentence:

"If properly worked in connection with the municipal electoral mechanism, the extension of local option to the limited area of the polling sub-division would be a beneficial reform."

Mr. BLAKE. I do not suppose it is of much consequence what the opinion of the newspaper article is.

Some hon. MEMBERS. Hear, hear.

Mr. BLAKE. Or of all the newspapers together. We have to decide upon our own judgment, and not upon what these Mentors of the press tell us. But I may say to the hon. gentleman, that if he reads that article as justifying his present action, it certainly is a severe condemnation of the Committee that brought forward the Bill. But I do not so understand it. I understand the last sentence read to mean that the principle of voting provided by that Government which has charge of the municipal machinery could be inexpensively and conveniently applied to local option. We have an annual municipal election at which the electors of our municipalities are called on to vote for the election of their municipal officers, their reeves and councillors, for the year, and those governments—for they have all that portion of the functions of a government—could arrange for the application of the principle of local option by a vote without any additional expense or inconvenience; and I understand the writer to point out—I believe with propriety and justice—that this is a very good reason, in point of convenience, at any rate, for the proposition, that the question of the regulation of licenses should remain with those who have the control of the municipal institutions of the country. I believe that it would be a better plan that a vote should be polled than that it should be decided by petition, if you can procure the polling of a vote without inconvenience to the people and expense.

Mr. McCARTHY. Tell us why we cannot arrange that a vote should take place at the municipal elections.

Mr. BLAKE. I say first of all that the hon. gentleman has not proposed that. He has declared this thing ought not to be dealt with by the Act at all, that it ought to be stricken out and nothing established for it; that it is alien to the Act altogether, that we ought to throw it on one side, and trust to some happy day when the Scott Act, which we have tried without success to have amended in those practical details, should be amended to cover this thing up; and he whose attitude towards the adoption of the principle of local option in this Bill is one of hostility, and his hon. friend beside him are now endeavoring, under cover of a preference for the amendment of the hon. member for Rouville, to accomplish this object—to spew out of this Bill that which they say is foreign to it, the principle of prohibition altogether. They both tell us it is for the regulation of licenses, not for prohibition, but that they very much prefer the proposition of the hon. member for Rouville, and believe this provision in the Bill is an abominable proposition. It is a most awkward thing, it is such a dreadful clause that those who support it are embarrassing the promoters of the Bill. It is such an atrocious specimen of stupidity and bungling, such an instance of legislative incapacity, that no friends of the cause could sincerely stand up and advocate that it should be retained in the Bill. This clause which, after six weeks' incubation, was formed, and which the hon. First Minister brought into Parliament, is a clause that no sincere man can support. What was the character of the man who brought it forward? And we who maintain the clause, are to be told that we are embarrassing the proposers of the measure. When did they change their minds and come to the conclusion it is an evil clause? My hon. friend from West Elgin says they were converted by the deputations. I believe the difficulties with reference to the proposed amendment are expense and confusion. There is one point, no doubt, in which it is better than the provision in this Bill—that only a majority of those who vote at the poll—if there be a poll—that is required to prevent the license being issued. Therefore, as one desirous to see the opinion of the majority prevail, if I held that the clauses of the hon. member for Rouville