

Act, because once passed the by-law cannot be repealed for three years. Now, this Bill has been adopted in a number of counties, we are told, and there would be an opportunity of testing it in those counties. If it is found to operate successfully, if its effect is proved to be to lessen materially and largely the evils of intemperance, if other places of accommodation spring up in the places of those that existed before, and if the result during the three years is found to be unquestionably beneficial, so much so that at the end of that time those who had voted for it, and others who had not, will be willing to continue it, then it may be adopted in other places, and that experience will be such that there will be no difficulty in getting an entire majority to vote for it. But I do not think it is desirable, in view of the fact, that three years must elapse before the by-law can be repealed, to encourage the general adoption of these by-laws, unless the public sentiment in favor of them is sufficiently great to induce a final majority to vote for them. It is for that reason that I shall vote against the motion for the six months' hoist and for the second reading of the Bill, with the hope that when it goes to Committee the phraseology will be so changed as to avoid the difficulties pointed out by the hon. member for West Middlesex (Mr. Ross), I shall do so, notwithstanding that I know I shall be charged outside of this House with having voted for a measure, the effect of which is to produce intemperance, or at any rate to retard the advancement of temperance principles.

Mr. MILLS. I purpose voting for the six months' hoist. When you look at the provisions of the Bill it is very objectionable, even upon the ground of the abstract principle which the hon. gentleman who moved the Bill, and the hon. gentleman who has just taken his seat, discussed. What object can there be in calling out the electors to record their votes in opposition to a temperance measure, when it is not the number of the votes in opposition to the Bill which are to be counted, but the electors who have not polled their votes in favor of the Bill. It seems to me utterly preposterous to invite the electors to vote against a prohibitory liquor law, or the granting of licenses for the sale of liquors, when you simply count the votes on the voters' list who have not recorded their names in favor of the proposition. I say, therefore, that the Bill is very defective in that particular, and its provisions utterly without meaning. Further than that, when you look at the provisions of the Scott Act you will see that it does not come into force in any particular constituency unless the majority who record their votes do so in support of the proposition. Now, hon. gentlemen have assumed that those who fail to vote in favor of temperance legislation are opposed to legislation of that sort. Now, I do not believe that that assumption is well founded. In my opinion the great majority of those who fail to record their votes are perfectly indifferent. They are willing the experiment shall be tried if a majority of those who vote favor it, and they are willing to permit licenses to be granted if a majority take that particular view. They neither throw their influence in favor of prohibitory legislation, nor do they throw their influence against it. Besides, the hon. gentlemen who are supporting this measure assume, apart from this, that the community have a right to engage in the manufacture of, and traffic in, intoxicating drinks. That is not the fact. Apart from the Temperance Act altogether the great majority of the people never engage in the traffic. They are not permitted to do so. If you look at the ordinary license law of any of the Provinces, you will see that only one tavern is allowed for every 250 inhabitants. Now, what does that mean? Does it not mean that you propose to grant to some one person a privilege by that legislation which you deny to the great majority of the population? The hon. gentleman has said that property under this measure would be rendered valueless, and that we are dealing with this matter in a wholly different way

Mr. WHITE (Cardwell).

from that in which we deal with property in other cases. I do not admit that; nor do I admit that property is at all involved in the manner in which the hon. gentleman has represented. When a license is granted, say for a distillery, it is granted for a single year. The right to engage in the business depends on the license which the person has received, and if you withhold that license the right ceases. It is not a right acquired by the erection of a distillery or by the investment of capital in that particular business, because if the person so engaging in the business did so acquire the right, you would recognize his right to go on from year to year. But you do not do so. In many instances reports are made in which it is stated that the position of the distillery is unfavorable for the exercise of proper supervision over the business, and the renewal of the license may be refused. I know of a case in which that was done. A person invested capital in the erection of a distillery four or five miles from the city of Winnipeg. A license was granted for a year; but at the end of that time he was not allowed to go on, because it was said a proper supervision could not be exercised over the distillery situated where it was. In the working of the ordinary license law, you assume that no one has the right to engage in the sale of intoxicants, and, in order to give that right, you grant a license on the payment of a certain sum. Does not that assume that all those to whom a license is not granted shall not engage in the business, or enjoy the privilege which you grant to others? You have simply a police regulation and nothing more, and the party obtaining the license under that regulation is a person to whom a special privilege is granted, on the payment of a certain sum, and when the period expires for which the license is granted, his right is at an end. That is the case under the license law of Ontario at this moment. In a community, four or five licenses may be granted, under the law, to tavern keepers, and, within the year, some one else may put up another building with better accommodation than some one of the others who has a licensed hotel. Under the law a license is granted to him and denied to some one who held it the previous year. Does he come before the Local Legislature for compensation? Not at all. He took his risks when he engaged in the business, and he is just as much entitled to compensation as any one who would be disqualified from getting a license by the adoption of the Scott Act. Suppose, instead of one person being ruled out in this way, the whole are ruled out under the Act, have they any more right to compensation than the first one? Is it not perfectly obvious that the law is based upon the assumption, altogether apart from the Scott Act, that this is not a business in which the community ought to engage, that it is detrimental to the public interests, and that the Legislature should exercise a controlling influence over it? It is upon that assumption that licenses are issued at all, and the very same line of public policy which will justify you in denying a license to the great majority of the community will justify you in denying the right to the remainder if public opinion will sustain you. Then it comes down to the question how far the public will sustain you in carrying out a policy of prohibition; and it is upon that principle that we proceeded in the Scott Act. Under the provisions of the Statute a majority of those who record their votes must support that Act before it can take effect. It would be more logical to refuse a license unless a majority of those who are voters authorize it by a poll, than to refuse to withhold it without such a vote. The hon. gentleman who moved this Bill said that by this Act we were robbing some persons, that we were not dealing with them in the same way we deal with other persons, that we take away their property by Act of Parliament and apply it to public purposes. But a person does not require a license to build a cotton-mill or to engage in any ordinary manufacturing business. Any one can