

Parliamentary.

In the House of Commons on Monday 21st inst., Mr. McDonald (Kings) presented a petition from the Lieutenant-Governor and Legislature of Prince Edward Island, and 5,700 others, praying that Parliament will give to each Province the right to regulate within its own limits the manufacture and sale of intoxicating liquors, or else to enact a prohibitory law for the whole Dominion.—*Mail*.

Sir Alexander Campbell has introduced in the Senate a Bill to amend the Act prohibiting the sale of liquor in the vicinity of public works. The bill provides that the expression (intoxicating liquor) includes any alcoholic, spirituous, vineous, fermented, or other intoxicating liquor, any part of which is spirituous or otherwise intoxicating, and the expression "public work" means and includes any railway, canal, road, bridge, or other work, and any mining operation carried on by the Dominion Government, any provincial or municipal authority, or by private enterprise, but the Act cannot be put in force in any city. These amendments have been considered necessary in consequence of the recent disturbance on the line of the Canadian Pacific, north of Lake Superior.—*Globe*.

In the Commons, on Monday, Mr. Cameron (Huron) rose to move that the House go into Committee of the Whole to consider the following resolution:—"That in the opinion of this House such portions of the Liquor License Act of 1883, and the Act to amend the Liquor License Act of 1883, as the Supreme Court of Canada has declared to be 'ultra vires', should be suspended, unless and until the same shall be decided by the Judicial Committee of the Privy Council to be 'intra vires' of the Parliament of Canada."

Sir John Macdonald said the Government had delayed any action pending the application for leave to appeal to the Privy Council, but, no answer having been received, the Government intended to bring in a measure on the subject.

Mr. Cameron (Huron)—May I ask what he proposes?

Sir John Macdonald—It is in the nature of a suspension. It is in the lines of the hon. gentleman's motion.

Mr. Cameron (Huron)—Then he will allow the motion to pass.

Sir John Macdonald—I have no objection to its passing.

The motion was adopted.

The resolution was adopted in Committee and read a first and second time.

Sir John Macdonald said he would give an opportunity for the third reading to-morrow.—*Globe*.

THE DEBATE ON COMPENSATION

ON THE 25th FEBRUARY, IN

THE HOUSE OF COMMONS.

(Continued from last week).

[PROF. FOSTER speaking.]

When we come to inquire why it is that legislators have proceeded upon this plan, without providing compensation for the traffic which has been disturbed, there must be some good reason, some strong underlying reason, to account for it. It cannot be mere whim, or caprice, or sentiment. This matter must have been argued and probed to its bottom, and there must have been found away down there some underlying principles so strong and so secure as to induce this universal action with reference to liquor legislation. And, Sir, what may we find to be some of these underlying sentiments?

NOT A CREATION OF GOVERNMENT.

It is a common argument that you must compensate the traffic because, it is said, it has been created by Government: Government has called it into being; Government has protected it and fostered it; and therefore Government has a duty to do, and that duty can only be paid by compensation whenever the Government takes away its protecting arm from the traffic. Sir, I think the whole history of this liquor traffic will contradict that statement of the case. I stand here to-day to affirm that the liquor traffic is not a creature of the Government; that it is not a pet of the Government, and never has been; that it came out of the ages when ignorance prevailed; that it came out alongside of other abuses which date from ancient times; that it fastened itself upon the country; that it grew strong before the people knew its character; and as soon as the people began to understand its true character, and in proportion as they understood it, the struggle commenced, and went on, and grew greater, to overthrow the abuse which had grown to so much power and strength during these preceding years. So, Sir, it forced itself upon the country, and when the country began to deal with it at all, the country dealt with it as far as it could get the power by restricting it in greater and greater proportion, until at last, in the long struggle, the liquor traffic is being overmastered by the people. And now, when victory will soon perch upon the banners of the temperance people, after these long years of struggle, the traffic comes up and says: Why, you have sanctioned our existence; you have allowed us, under protest, it is true,--but that allowance is equivalent to a sanction. Now, if you want to get rid of us, the only manly and just way to do is to pay us what is involved in getting rid of the traffic. Sir, this involves a much larger question; it involves the question as to how far it is necessary that the people of this or any other age, in dealing with the abuses that have grown out of the preceding ages, should meet them and overthrow them by force, and contest, and the power of legislation, or should compensate them and buy them off from the hold that they have upon the community. If we were to

admit that principle, where should we be landed? There was a time when absolute tyranny had its hold upon country after country. The people were beneath its grasp, and the yoke was laid upon them. Then commenced the struggle, and, after a time, the people became triumphant. Around this absolute tyranny there had clustered monopolies,—vested interests of a thousand different kinds; but when the people overthrew the tyranny, there was no proposition to compensate that tyranny for those vested interests which had grown up about the abuse. So it is with every abuse, every system of tyranny, every system of monopoly, which has been grappled with by the people and overthrown as an enemy. It has not been customary to buy them off, but rather to grapple with them and to throw them off from the body politic.

It would be a fair test of this matter with reference to the creation of the traffic, to take a new country to-day and attempt to establish in it this same traffic that we have amongst us by sufferance. That you could not do. Why, Sir, when the North-West Territory was set apart,—a new country under somewhat different conditions, of course,—it was found that this liquor traffic could not be set up anew in it, and there was an iron-clad prohibition placed upon the introduction of the traffic into that new country. Only the other day the representatives of the great powers of the world met together to lay the foundation of a provisional empire in Africa. The Congo settlement was to be put within its limits, and set out in the race for progress and improvement under a certain Provisional Government. When the proposition was made to introduce this traffic of intoxicating liquors into that new country, it drew forth an almost unanimous expression of disapproval from the Anglo-Saxon world, and the representatives of Great Britain and of the United States of America made their protest so strong that it had its effect, and the proposition was, if not entirely, yet to a large extent, thrown aside. You could not establish that system in a new country, which is a fair proof that it has grown up against the will of the people, and it will be thrown off just as soon as the people's will is strong enough.

REMAINED DESPITE WARNING.

More than that, Sir,—the traffic has grown up despite persistent warning. There is no abuse which the people have tried to throw off,—there is no system of evil which the world has struggled against, that has had longer and more persistent warnings given to it of approaching dissolution than this liquor traffic. Fifty years ago, and more in this country, the first note of warning was raised, and every temperance meeting that has been held since has been a protest against it. Every resolution of a Church Synod has been a warning to it, and every resolution of a Legislature. I think a good many Legislatures have passed resolutions against it. I think the Legislature of Nova Scotia and the Legislatures of New Brunswick, Prince Edward Island, Ontario, and Manitoba have all passed resolutions praying this Parliament to pass a complete prohibitory liquor law. Sir, all these things have been notices to quit, and the traffic should have taken them to heart, and should not have gone on in the face of all these repeated warnings. If it has gone on, it has been upon this principle: Here is a man who comes up and says to himself, What business shall I take? There is the grocer's business; there is the boot and shoe business; and there is the liquor traffic,—which shall I take? He sees that the two former are stated, and solid, and certain; that there has been no agitation with reference to them, no strong wave of public opinion condemning them, while the liquor traffic exists by an uncertain tenure, and goes on in spite of the prayers of the people to Parliament to sweep that traffic away. And what does he say? He says: The gains in this seem to me to promise well. True, the risks are great, but I will take the risks for the sake of the gains. Now, then, if he has taken the risks for the sake of the gains, when the time comes for the risks to accumulate in loss, let him pocket the losses as well as the profits. He has taken the risks against the strong and repeated and continuous warnings that his tenure was not a certain tenure, and might at any day be disturbed. In 1864 the warning was given to him by an Act put in the hands of the people, which might have shut up the liquor traffic in any county at any time the people chose. How many are engaged in the trade who have undertaken it before 1864? In 1878 that position was made doubly strong by the passing of the Canada Temperance Act. How many are in the licensed victuallers' trade to-day that were in it previous to 1878? All that have gone in since those warnings of 1864 and 1878 were given have gone in with the full knowledge of the risk and the uncertain tenure upon which the traffic rested, and if they have chosen to take the risk, they have no right to come here to-day and say: Because we have chosen to take the risk, we want you to compensate us when loss falls upon us. My friend from Grey, I think, who spoke yesterday, made the proposition something in this light; or if it was not he, the proposition was made. Suppose a railway company have a charter for a railway to run through a certain district, and suppose that that railway crosses a man's land, and that it is necessary for the use of that road that the land should be taken, the company have the power, or the Government have the power, to take that land. But do they think of taking it without compensating the owner for the value of it? Not at all; they never could. But I hold that that and the compensation which is talked of with respect to the liquor traffic are two entirely different things, resting upon bases entirely different, and to which entirely different reasoning must in the very nature of the case apply. My hon. friend who was formerly Speaker of the Ontario Legislature (Mr. Wells), and who spoke to us so eloquently, but inaudibly, yesterday, from the other side of the House, said it was laid down by Chancellor Kent that when property was taken for public use that property should be paid for. Now, Mr. Speaker, I am not a lawyer; I do not know all that Chancellor Kent says or does not say; but I am willing to submit four propositions to the good sense of this House, and to ask this House if those propositions will not stand.