

wine and beer. I am quite willing to accord to him an honest conviction when he tells us that he believes temperance will be best obtained by permitting the use of those beverages. He has quite as good a right to his opinion as I have to mine. It is one of those cases where, desiring to come to a wise conclusion, we have dissented very widely in the opinions we have formed on that subject. Coming to the next point, where Parliament is breaking faith with those who have adopted the Temperance Act, I dissent directly from his views. There are some constitutional lawyers in the other Chamber, and the opinion there was, on both sides, that in those counties where the Act has been adopted it would be manifestly improper, and retroactive legislation, to disturb the state of things existing in those counties.

HON. SIR ALEX. CAMPBELL—I am rather disposed to agree that in those counties where the Act has been carried some provision should be made for them.

HON. MR. SCOTT—My hon. friend spoke generally. He made no exception. This Act is rather different from ordinary acts of Parliament. It is a local option act. We pass a law and say to the people "here is a law which you can carry and if it is carried it will be enforced for three years." That is clearly the understanding that it cannot be disturbed or repealed for three years. If it cannot be repealed it cannot be changed. Therefore, I say it is not keeping faith with the people when we say to them that what we call light wines and beer shall be sold notwithstanding the Act has been carried. I will not discuss at length, because I would be addressing unwilling ears, why, I consider we are making a great mistake. I only wish to express my regret that the Senate should put on record such an opinion on a question that is so purely one relating to the people. It is a subject matter that we relegated to the people. Parliament said, "We are not going to pass prohibitory laws, but we will allow the people to pass prohibitory laws in various localities. If the temperance education is up to that level, we will permit them to carry it and put the law in force." I say this amendment is a direct breach of faith with the

people who carried that law. I think the Senate is making a great mistake, and one which we will regret in future, in placing ourselves so diametrically opposite to the law we have ourselves given the people and on which they have already expressed their opinion. So far as those counties which have not yet carried the Act are concerned I think Parliament can, with ample justice, make any provision it pleases as to what beverages should be admitted under this Act, but so far as those counties are concerned which have already adopted the Act, I say it is a clear breach of faith.

HON. MR. DICKEY—As this is a question affecting the constitutional powers of Parliament the House may indulge me in a few observations on the subject, especially as I agree with what has been said by the hon. member from Ottawa, and at the same time I have been impressed with the remarks of the hon. Minister of Justice. In such a matter as this, above all others, I think the House will be disposed to be led—influenced certainly—but probably they will consider themselves in a position to be led very much by the instruction we get from the Minister of Justice. We have no higher authority in this Parliament and we have very few higher authorities in the land than we have in him, and I am bound to say that on the general question I naturally concur in the constitutional doctrine that he has laid down. I think that when we come to look at those reasons which have been given by the House of Commons if we were to act upon that principle and apply it to all our legislation we should very soon find it entirely a new doctrine which has been unheard of in the history of Parliament. At the same time I have a very strong wish, with regard to this particular application of the doctrine on this amendment, that it should not affect the people who have voted in the different counties. I have that sort of feeling, and if it were in our power, in accordance with the usages of Parliament, to make an amendment to the amendment, which we submitted in another place, I should be disposed to suggest that such a change be made. While I am upon that subject I may say there are a good many gentlemen here who are impressed with the idea that if

HON. MR. SCOTT.