

Mr. THOMPSON (Antigonish). The particular instance I mentioned has no special relevancy to this Bill, otherwise than as a mere illustration. No facilities will be given by this Bill for doing what the hon. gentleman thinks is unwise. If I were quite at liberty to mention all the particulars of this individual case, I think the action of the Department in that respect would meet with his approbation. It was not a case, as he seems to think, of personal difficulty of my own, because it occurred a long time before I became connected with the Department, but there was some ground for asking the intervention of the agent of the Dominion Government to prosecute. I quite acquiesce in the general principle stated by the hon. member, that the administration of criminal law should be left to the Provincial authorities. It is not the desire of anybody to have the Orders in Council deal with individual cases, but the hon. gentleman will see that the Statutes which will be affected by a Bill of the kind suggested are numerous and of great variety. Some involve for their execution expense on the local authorities, and it seems fair that in respect of those, the local authorities should be entitled to the advantage of the penalty imposed, to recoup them for the cost of prosecution; others are at the expense of the Provincial authorities, and these authorities should receive consideration for that expense. I expect this Bill to be a temporary measure, and I hope to relieve all apprehensions that this matter is to be left to the Governor in Council, by presenting a Bill which will deal comprehensively with the whole subject. There are cases in various parts of the country which urgently call for some provision like this, as otherwise the enforcement of the penalty will be at an end.

Mr. BLAKE. If the difficulty is pressing and urgent, and the hon. gentleman is not able to deal with it in the way he deems preferable, that will be reason for temporary legislation; but it must be understood that this is avowedly temporary legislation, and that we are not to place on the Statute-book as permanent that which the hon. gentleman agrees should only be temporary. The hon. gentleman cannot bring down a measure at present, he states, on account of the numerous and varied Statutes which have to be considered, and which he has not time at present to collate, and therefore this Bill, on his own statement, is to be but a temporary measure, to remain in force not later than the end of next Session. But there is a class of fines and fees with respect to which the hon. gentleman might act on the other view. I refer to those in connection with the administration of the Temperance Act. Under that Act a good deal of difficulty has been created and a good deal of public feeling aroused, and the local authorities, who are called on to enforce it, are under special difficulties by reason of the existing state of the law. I do not see why the Government should not, with reference to that Act, at any rate, state what the principle is upon which they propose to deal with it, and legislate in that direction. If there be numerous other Statutes which the hon. gentleman has not time to collate, so as to give a particular consideration to the precise method in which the fines and fees should be dealt with, that might be a reason for temporary legislation; but there can be no difficulty in dealing with the case to which I allude, and the case is urgent. I presume the hon. gentleman intends to deal with it, and I would prefer he would do so by proposing it as a measure of legislation, rather than ask authority to deal with it by Order in Council. Representations have been made already by the Provincial authorities to the Central Government as to the difficulties existing in connection with the Temperance Act, and these representations may have alluded to the proposed disposition of fines and fees which, in the view of the Provincial authorities, would be most desirable. Will the hon. gentleman state how that is? The last paragraph

Mr. BLAKE.

of section 2 reads, "or that the same be applied in any other manner deemed best adapted to attain the object of such a law, and to secure its due administration." So that I do not think, irrespective of what the hon. gentleman said as to the particular instance he referred to, the clause itself is wholly free from the observation that it is an indication of the intention—I am glad to see now, of no very marked intention—to interfere with the administration of the law.

Mr. THOMPSON (Antigonish). It would be practically impossible for me to decide now in what way it is proposed to deal with the class of cases mentioned. The difficulties which have arisen are different in almost every Province. In different localities in the one Province, there are different arrangements. In some places, the municipal authorities carry out the law, in others purely local authorities within the Province, and in others voluntary associations. The circumstances are not so fixed and uniform in the different Provinces as would enable us to deal satisfactorily with the whole subject. I can illustrate this matter no better than by informing the hon. gentleman that while representations have come from Prince Edward Island on the subject within the last few weeks and have been pressed on my attention by members of the House, on the other hand, representations of a different character have come from Ontario this afternoon; and as respects the condition of affairs in Ontario and the wishes of the Government, I have not yet seen the communication which has come, but I have been informed that it has come stating the wish that the disposal of the penalties be placed at the disposal of the Provincial Government. Instead of making now a hard-and-fast rule, these powers should be entrusted to the Government until opportunity is given us to ascertain the wants of the country, and to consider the different Statutes.

Bill reported.

Mr. THOMPSON (Antigonish) moved the third reading of the Bill.

Mr. BLAKE moved in amendment:

That the Bill be not now read the third time, but be referred back to Committee of the Whole to amend the Bill by defining the application of the fines, penalties and forfeitures.

Amendment negatived on a division.

Mr. BLAKE moved in amendment:

That the Bill be not now read the third time, but that it be referred back to Committee of the Whole to amend the same by providing that the Bill shall have force only until the end of the next Session of Parliament.

House divided on the amendment.

YEAS:

Messieurs

Allen,	Fisher,	Lister,
Auger,	Forbes,	McIntyre,
Bain (Wentworth),	Geoffrion,	McMullen,
Bécharé,	Gillmor,	Mills,
Bernier,	Glen,	Paterson (Brant),
Blake,	Guay,	Ray,
Burpee,	Gunn,	Rinfret,
Cameron (Huron),	Harley,	Robertson (Shelburne),
Cameron (Middlesex),	Holton,	Scriver,
Campbell (Renfrew),	Irvine,	Somerville (Brant),
Cartwright (Sir Richard),	Jackson,	Somerville (Bruce),
Charlton,	King,	Trow,
Cochrane,	Kirk,	Vail,
Cook,	Landerkin,	Watson,
Davies,	Langelier,	Wilson,—47.
Edgar,	Laurier,	

NAYS:

Messieurs

Abbott,	Fortin,	Montplaisir,
Allison,	Foster,	O'Brien,
Amyot,	Gaudet,	Orton,
Bain (Soulanges),	Gault,	Painé,
Baker (Missisquoi),	Gigault,	Patterson (Essex),