

Mr. MARCIL: Would the hon. member tell the House that he is in favour of continuing the manufacture of liquor and beer in this country with foodstuffs which are required at the present time? Does he consider that these are normal times in Canada, and that, in view of what Parliament has authorized by Order in Council, the time is opportune to deal with this question as he would have dealt with it ten or fifteen years ago?

Mr. R. B. BENNETT: I am opposed to the use of grains for the manufacture of intoxicating liquors in war times, and always have been.

Mr. McKENZIE: Even for the people of South America?

Mr. R. B. BENNETT: Even for the people of Ontario.

Mr. DOHERTY: I would call attention to the fact that we are on a clause dealing with the question of sending liquor advertisement through the mails, and it seems to me that the discussion of the general question of prohibition is not relevant to this clause.

Mr. McKENZIE: It is unfortunate that these rules are discovered when the discussion drifts to this side of the House. The cyclone commenced in western Ontario and swept this way, taking in all the provinces; but only when it crossed the Table to this side of the House were there any rules at all. I am sorry, now it has crossed to this side, that prohibition and restriction have immediately come into force.

On section 4 B—Seizure of liquor pending conviction:

Mr. DOHERTY: This is a clause to make it possible to seize liquor so that it may be held until the conviction is had. Under the Act as it stands, if there is conviction of an offence against this Act the liquor which forms the corpus delicti is confiscated, but unless you provide for a method of seizure whereby it can be held, in most cases the liquor is not there when the conviction is obtained. I think the necessity of the clause is obvious. Attention has been called to this matter by different provincial officers engaged in the enforcement of the law.

Mr. J. J. HUGHES: I beg to suggest some slight amendments to this section, having in view the conditions in Prince Edward Island. Provision is made to have an officer search a government railway or

[Mr. R. B. Bennett.]

vehicle or steamship. I should like to have the word "warehouse" inserted after "railway".

Mr. DOHERTY: Are there Government warehouses?

Mr. J. J. HUGHES: Yes, and liquor is stored in them.

Mr. DOHERTY: I shall be very glad to insert the word "warehouse".

Mr. J. J. HUGHES: Liquor is imported in packages and every device is used to prevent officers knowing there is liquor in the package. It is imported in flour barrels, boot boxes and so on. I should like to see power given an officer to open a package that he thought might contain liquor, and to have it provided that he should not be liable to any penalty in consequence. I do not know whether that power could be given to him by this Act or by provincial legislation. You give the officer power to search premises and remove any intoxicating liquor in packages, and so on. I suggest that you add the following words:

And may open and examine the contents of any package or packages which he thinks may contain intoxicating liquor.

Mr. DOHERTY: He is enabled, under this section, to seize and remove any intoxicating liquor or any packages containing the same. I do not think there is any doubt about his power to open and examine packages. The section states that if he has reason to believe there is any liquor on any premises, he has power to enter and search such premises. I would have no doubt that a man entitled to search a place to find a particular thing is entitled to search every receptacle on the premises.

Mr. J. J. HUGHES: And open the package?

Mr. DOHERTY: Yes.

Mr. J. J. HUGHES: If he is mistaken, he is not liable to a penalty?

Mr. DOHERTY: No man is liable to a penalty for doing that which the law authorizes him to do.

Section adopted.

On section 4 (c)—Operation of Canada Temperance Act may be suspended upon petition:

Mr. CARVELL: Does this meet the condition of affairs in New Brunswick at the present time? Petitions have been sent to