

throughout Canada, excepting under restrictive conditions. The case must therefore be regarded as illustrating the principle which is now well established, but none the less ought to be applied only with great caution that subjects which in one aspect and for one purpose fall within the jurisdiction of the provincial legislatures may in another aspect and for another purpose fall within Dominion legislative jurisdiction.

The hon. gentleman who moved this resolution has not given any reason why we should appeal to the British Parliament for an amendment to the British North America Act. I think the decisions I have read, and the fact that the legislatures of the different provinces have passed what are practically prohibitory laws without any let or hindrance, is evidence enough that the provincial legislatures have power to pass prohibitory liquor laws. I do not think any man has any doubt of that. I should like to know what doubts are in the mind of the hon. member for Kings (Mr. Hughes). What reasons can he give why we should appeal to the British Parliament for an amendment to the British North America Act? Even if the Bill which has been introduced by the hon. Minister of Justice does not pass, or should not be considered necessary, we could still achieve our object in another way. We could pass an amendment to the Criminal Code, making it criminal for any person to introduce liquor into any province where the sale of liquor was prohibited. I think by virtue of section 91 legislation of that kind could be introduced, and a heavy penalty provided for a violation of the Act. That is in fact what the Minister of Justice is introducing, although in another form. The power by which we can pass such a Bill as the minister has introduced has been conceded by the Privy Council in many decisions. As the hour is getting late, I beg to move the adjournment of the debate.

Mr. GRAHAM: I suppose this means that the two resolutions will be disposed of at one time?

Sir ROBERT BORDEN: Yes, I suppose so, or, as a matter of fact, the Bill which has been introduced by the hon. Minister of Justice will afford an opportunity for any further debate on the subject.

Motion agreed to, and debate adjourned.

CAPITAL PUNISHMENT STATISTICS.

Mr. ROBERT BICKERDIKE (Montreal, St. Lawrence) moved:

For a return showing:

1. All persons, male or female, who have been capitally convicted in Canada, and in each [Mr. A. A. McLean.]

province, for each year from the 1st of July, 1867, to the 1st March, 1916, specifying the offences, and whether and how the sentences were carried into effect by execution, or otherwise; with the name of the convicts, dates of conviction, crime of which committed, sentences passed, judges by whom sentenced, and how dealt with.

2. All convicts, male and female, who have been reprieved from the execution of capital sentences passed upon them during the above-mentioned period, with the name of convicts, dates of conviction, crime of which committed, sentences passed, by whom sentenced, sentences commuted, and to what.

3. Showing all persons in Canada and each province, convicted during the above-mentioned period, of murder or manslaughter, whose sentences have been mitigated, or who have received a free pardon, together with a statement of the offences of which they were severally convicted, with the name of convicts, dates of conviction, nature of offence, sentences and extent of mitigation of sentences and dates.

4. All instances, during the above-mentioned period, in which appeal has been made on behalf of the persons convicted of capital offences, to His Excellency the Governor in Council, for the exercise of the Royal prerogative of pardon, or mitigation of sentences, with the name of convicts, dates of conviction and place, crime of which committed, sentences, dates of appeal, and the result.

Mr. DOHERTY: Does the hon. member intend to speak in support of his motion, because I would like to say a word about it?

Mr. BICKERDIKE: I do not wish to discuss it at all. I presume there can be no objection to furnishing the information asked for.

Mr. DOHERTY: I would like to point out to the hon. member some objections, of which I think he will recognize the force, with regard to the information for which he asks. I may say also that I think it is now two years ago since the hon. member for Laval (Mr. C. A. Wilson) made a very similar motion and, after some conference with him, we brought down a return giving what he considered to be satisfactory and sufficient information for his purpose. I would point out to my hon. friend that he is asking us now to revive the history of every unfortunate person who may, at any time, have been convicted of a crime of this kind and sentenced to capital punishment. In fact, I think it covers even other sentences, and asks for all the details, the nature of the crime, etc. Well, any one whose sentence has been commuted, and who has served his sentence, or any one who has had a pardon granted to him, has purged his offence, and I cannot see what interest the hon. member can have in having all these names put upon a return and spread