

in the enforcement of the law in the provinces, who have pointed out that grave inconvenience has resulted from the fact that, while the liquor was liable to confiscation on conviction, there was no provision under which it could be seized and held pending prosecution. The first clause is to insert in paragraph (a) of section 3 of chapter 19 of the Statutes of 1916, after the word "liquor" the words for "beverage purposes."

As the section reads now, it makes it an offence for any person to ship intoxicating liquor into a province. The old section reads:

(a) Shall send, ship, take, bring or carry or cause to be sent, shipped, taken, brought or carried to or into any province from or out of any other province, or import into any province from any place outside of Canada any intoxicating liquor, knowing or intending that such intoxicating liquor will or shall be thereafter dealt with in violation of the law of the province into which such intoxicating liquor is sent, shipped, taken, brought, carried or imported as aforesaid;

This amendment is inserted upon the suggestion of the authorities in Ontario charged with the carrying out of the liquor law. They point out that their prohibition is against the sale of liquor for beverage purposes, and was not intended to interfere with the shipping of liquor for any other purpose not prohibited by law. It was a mere oversight in the legislation of last year.

Mr. LEMIEUX: How does the hon. minister distinguish between liquor sent for beverage purposes, and liquor sent for other purposes?

Mr. DOHERTY: It is necessary in order to bring the offence under the law, to establish that the liquor is being sold for beverage purposes. That is the offence, and this imposes no additional requirements. In order to constitute a violation of the law, it must be sent for the purposes of being sold for beverage purposes, because that is the only violation of the law; and this is intended to avoid making prohibition which nobody desires. Nobody wishes to prohibit the free circulation of liquor for the purposes for which no province prohibits its use. Of course, it would be incumbent on the prosecutor to prove the liquor is being sent in for the purposes of violating the law. I do not know that any occasion has arisen for this provision. The request for this enactment comes really from the authorities charged with the administration of the legislation in Ontario.

[Mr. Doherty.]

Mr. J. J. HUGHES: Would the quantity of liquor not very largely determine the use for which it was intended?

Mr. DOHERTY: Yes, and the question whether the liquor is really suitable for beverage purposes. You may have liquor that would be very intoxicating, if you drank it, but not in a condition to be used for beverage purposes. These are the matters which, in a prosecution for violating the provincial law, would have to be dealt with. We are not adding anything to the difficulty in dealing with cases in making our law correspond with the prohibitory law of the province. I do not think any harm would be done if the law stood as it is. It is only as our attention is called to the fact that there was an inaccuracy, and it was suggested we should correct that inaccuracy, that this amendment is proposed, because if you send in liquor not for beverage purposes, it could not be said that it was sent in for the purpose of being sold in violation of provincial law, inasmuch as the prohibition of the provincial laws deal with liquor for beverage purposes. Large quantities of alcohol are used in the manufacture of munitions. It would be unfortunate if, by the wording of this law, there should be any interference with the handling of liquor manifestly only used for purposes of that kind.

Mr. J. J. HUGHES: When the Bill which passed last session was before the committee, it was thought by some that perhaps it was not intended to be very effective. I thought it would be a step in the right direction anyway, for pretty heavy penalties were attached to the carrying of liquor into provinces where the sale was prohibited. I think the minister read the clause in the Bill passed last year, and I desire to call his attention and that of the Government to the fact that the employees of the Government are the real offenders in this case, so far as the province of Prince Edward Island is concerned. I am quite safe in saying that nine-tenths of the liquor imported into the province is carried on the Government railways and steamships, and it could not be carried without the knowledge of the employees, if they have ordinary intelligence. A small portion of it is carried on the steamers subsidized by the Government, owned by private people, and the Minister of Trade and Commerce (Sir George Foster), I think, intimated last year that he would notify the owners or managers of the steamers so subsidized that if they knowingly violated the law the payment of the sub-