Lordships can discover no adequate grounds for holding that there exists repugnancy between the two laws in districts of the Province of Ontario where the prohibitions of the Canadian Act are not and may never be in force. In a district which has, by the votes of its electors, rejected the second part of the Canadian Act the option is abolished for three years from the date of the poll, and it hardly admits of doubt that there could be no repugnancy whilst the option given by the Canadian Act was suspended. The Parliament of Canada has not either expressly or by implication, enacted that, so long as any district delays or refuses to accept the prohibitions which it has authorized, the Provincial Parliament is to be debarred from exercising the legislative authority given it by section 92 for the suppression of the drink traffic as a local evil. Any such legislation would be unexampled, and it is a grave question whether it would be lawful. Even if the provisions of section 18 had been imperative they could not have taken away or impaired the right of any district in Ontario to adopt and thereby bring into force the prohibitions of the Canadian Act.

Their Lordships, for these reasons, give a general answer to the seventh question, in the affirmative. They are of opinion that the Ontario Legislature had jurisdiction to enact section 18, subject to this necessary qualification—that its provisions are or will become inoperative in any district of the Province which has already adopted, or may subsequently adopt, the second part of the Canada Temperance Act of 1886.

Their Lordships will now answer briefly, in their order, the other questions submitted by the Governor-General of Canada. So far as they can ascertain from the record, these differ from the question which has already been answered in this respect—that they relate to matters which may possibly become litigious in the future, but have not as yet given rise to any real and present controversy. Their Lordships must further observe that these questions, being in their nature academic rather than judicial, are better fitted for the consideration of the officers of the Crown than of a court of law. The replies to be given to them will necessarily depend upon the circumstances in which they may arise for decision, and these circumstances are in this case left to speculation. It must, therefore, be understood that the answers which follow are not meant to have, and cannot have, the weight of a judicial determination,