

ment that he might dispose of the money subject to the final decision of the question. Now, the question was raised by the Government of hon. gentlemen opposite. We had come to an arrangement carrying out the decision of the previous Government, and paying respect to that decision. We said: very well, you can keep the money and dispose of it in this Mercer institution or in any public way you like, subject, of course, to the final decision. It was absolutely necessary—we had not raised the question, it was sent home, not by the Government, we did not want to raise it, we never had raised it, but one of the persons supposing himself to be interested in the Mercer estate carried it to England—it was of great importance that the question should be settled, and our only intervention in the matter was that, in order that it might be finally settled and well argued, we agreed to support and stand by the decision of the previous Government, of which the hon. gentleman was a member—I do not think he was a member then—but of the previous Government, the Liberal Government; we agreed to stand by their decision. We could not, as a Government, I think, set aside the solemn decision of our predecessors, and we agreed to pay a fee to competent counsel, in order that the case might be fully argued. That will show the justice of the line of argument taken by the hon. gentleman against the Government. Then there was the great Hodge case. The hon. gentleman has quoted my speech and he has quoted his own speech. Well, Mr. Speaker, in my speech I went a little too far, there is no doubt. I am not like the hon. gentleman, infallible. But, Mr. Speaker, the hon. gentleman has never ventured to say that the McCarthy Act is *ultra vires*. The hon. gentleman has never ventured to say we had no right to pass that Act; he has never ventured to say that Act, when brought into full operation, will not have the force of law. His friend, political and personal friend, I have no doubt, Mr Bethune, has given a very strong opinion on that matter, and I think my hon. friend—not in his political capacity, but in his professional capacity—especially if he has got a hint of the fee that my hon. friend, the mover of the Address spoke of, would keep to his opinion that at all events the McCarthy Act was constitutional, and was not *ultra vires*. I am quite satisfied the hon. gentleman will not get up without a fee, and say that it is not the law of the land. Well, the Hodge case, I have no hesitation in saying, is not the last word of the question. I have no hesitation in saying that the Privy Council, for some reasons known to those behind the scenes, from the absence of those hon. members of it who usually take up questions under the British North America Act, avoided a decision, and the decision was this: that the Ontario Government, first, could make by-laws and regulations for the regulation of licenses; and, second, if they could do that themselves they could give that power over to the municipalities. That is simply the decision, but it in no way affects the decision in Woodward and Russell; in no way affects the decision in the Scott Act; in no way affects the language used by the Government of which the hon. gentleman was sometimes a member and sometimes not a member; sometimes a supporter and sometimes not a supporter. In 1878, when they put this language into the mouth of the Governor General—"It is very desirable," those hon. gentlemen said: they wanted to get up some new cry, not to say it is expedient, or it is right, or it is just, but something new, and they said: "It is very desirable that there should be uniform legislation in all the Provinces respecting spirituous liquors." Hitherto that trade had been regulated by Provincial laws or laws existing before the Confederation of the Provinces, although there had been lately a conflict of authority as to the jurisdiction of the local authorities. That was the announcement made in 1878, in the Speech from the Throne, by the hon. gentlemen opposite, and the same language

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may be applied to the McCarthy Act, that it is expedient that there should be one general law for the traffic of liquors over the whole of the Dominion instead of its being as heretofore regulated by different Provincial laws. We are going to carry out exactly what the hon. gentleman in 1878 gave his support to. But the hon. gentleman says we ought to have put this in the Speech. Mr. Speaker, if it were proposed to put a clause in that we were going to repeal the McCarthy Act, then there would be some sense in it, but the Government has no such intention. The Government know, as far as infallible man can know, that it is the law of the land, that it is expedient there should be one general law, that it is of great importance for the well-being of the community that there should be one general law, and they will, *sub judice*, take the chance of the courts disagreeing with us. I do not think the hon. gentleman will say that the courts ought to disagree with us, and that we had not every right and competency to pass that Act; and as to the expediency I only quote their language against themselves, that it is expedient. Now, Mr. Speaker, I am afraid I have tired you, at all events, I have tired myself. The hon. gentleman, perhaps, had better not have said much about the county of Lennox. That is *sub judice*, and, perhaps the hon. gentleman will find that neither he nor those who would like to have the support of the hon. gentleman who sits for that county now, will be so proud of it if the courts have a chance to get to a trial of the question. As for the gentleman who now holds the seat in this House, all I can say is that I wish him no harm. I know him, I know his friends, and I believe he is a very kindly gentleman, a gentleman liked by his neighbours, popular, and justly popular, as shown by the strong vote he has got. But whether he is going to hold the seat from which I was obliged to unwillingly to vamoise, is a question for the courts. I think the hon. gentleman had better have avoided an allusion to that matter. It brings up other questions. I will venture to say this, that if we had a sworn commission to try the validity of the seats of every man in this House, small in number, though strong in ability as the present Opposition is, their number would be decreased and ours on this side would be increased. I have no doubt of that, and if it was seriously challenged I would not fear the test.

Mr. CASGRAIN. Try it over again.

Sir JOHN A. MACDONALD. I do not want to lose my hon. friend. What would be the opposition from Lower Canada without my hon. friend? Why, the *rouge* flag would be paled, and those unfortunate degenerate *bleus* would be coming back here like a flock of sheep, not regulated, not controlled, not over-mastered by the great intellect, and the great *morale* of my hon. friend who wishes to have a new election. Now, my hon. friend in his speech wound up with an effective appeal to the hon. gentlemen from Lower Canada, saying, Take care if you desire Protection for your own institutions to see that the institutions of other Provinces are not attacked. Mr. Speaker, I went into Parliament in 1844, I became a Minister in 1854, and I have been supported by a French majority ever since that time. They have never failed me, and they have always had confidence in me, and I have, I believe, proved myself worthy of their confidence. Sir, I have suffered obloquy on their behalf; I have been attacked by those hon. gentlemen opposite in days gone by, when it was convenient for them to ride the Protestant horse, when they called me a slave to French influences, a slave to Romish influences, a slave to Lower Canada influences. It won't do, Mr. Speaker. All the blandishments of the hon. gentleman, if he put on twice the smiling countenance, and if he used twice the eloquent language that he has done and that he is able to do, will not make the people of the Province of Quebec believe that they are