

port to it of a majority of the voters. I have heard the hon. Premier say both parties should be put on the same footing. I think so too. I do not believe in obliging the temperance men to get two-thirds of the voters while the liquor seller need only have one-third. Compare the position of the two. On the one side, you have a man who makes money by selling liquor, and has an interest in obtaining signatures to his petition; on the other hand, you have temperance men who do not make a cent by their action, but give up their time and neglect their business for the sake of morality. Is the temperance man then to be put in a worse position than the liquor seller, because the latter makes money, while the former works solely for the good of his locality? The getting up of a temperance petition cannot be done in the dark. Sometimes it is the priest, sometimes the minister, or other men who are interested in the morality of the locality, who are instrumental in having it signed. The liquor seller goes around with his bottle and influences those who are susceptible of such influence, to sign his petition. I think it would be telling the temperance people: "You must have a hotel whether the majority is willing or not." I do not believe that licensing a hotel is in favor of temperance; I have been a temperance man all my life, and I have learned that the best way to make men temperate is to keep the bottle away from them.

Mr. FAIRBANK. By the amendment it is obvious that petitioners are divided into two classes: If the petitioners are for the license, one-third will do; if against it, two-thirds are required. The amendment proposes to say that one man who votes for a license is as good as two men who vote against it. We are constituting a new court, and the rule of that court is to be that it will take one-third of the Judges to enter a verdict for the plaintiff, but it will take two-thirds to enter a verdict for the defendant.

Amendment (Sir John A. Macdonald) agreed to on a division.

Mr. CAMERON moved that the thirty-second clause, as amended, be struck out.

Motion negatived on a division.

On section 40,

Mr. McCARTHY. I desire to move the following as a sub-section to section 40:—

Provided always, that in any Province in which, in order to the raising of a revenue for provincial, local or municipal purposes, a duty has been imposed under the authority of the British North America Act, 1867, on any license, before the license issues the person entitled thereto shall establish to the satisfaction of the chief inspector, that he has paid or tendered such duty.

Mr. BLAKE. That clause would appear to reaffirm the incapacity of the Provincial Legislature to pass a law as to the raising of a revenue. As I understand it, the Local Legislatures are acknowledged to have a right, of themselves, to legislate as to the issue of licenses for the raising of a revenue. The hon. gentleman seems to indicate they have no right to issue licenses for the raising of a revenue.

Mr. McCARTHY. They can issue licenses if they please in order to secure the payment of a fee. But this provides that before an applicant can get a license he has to show that he has paid or tendered his money to the local authorities; otherwise they would have to take other means in order to collect the revenue.

Sir JOHN A. MACDONALD. There is a third admission and assertion of the right of a Provincial Legislature to impose a license duty in the matter of revenue for provincial, local and municipal purposes. In order to aid them in collecting their revenue, it provides that the Dominion authorities cannot issue a license under this Act without producing a certificate that the party has paid to

his own provincial authorities the license fee that has been imposed by the provincial authority.

Mr. BLAKE. Of course, under the most restrictive interpretation of the Act, it would be impossible, if the Local Legislature did issue a license on condition of paying a certain sum, that the party could legally sell, no matter how many licenses this Parliament might authorize. Therefore, I do not think this is much protection.

On section 42, sub-section 1,

Mr. ROBERTSON (Hamilton). I do not understand why the proportion should be different in this Act from what it is in the Crooks Act. The section under discussion says:

In cities, towns and incorporated villages respectively, according to the following scale, that is to say, one for each full two hundred and fifty of the first one thousand of the population, and one for each full five hundred over one thousand of the population.

Under the Crooks Act it is provided that the number shall be 400. In the city of Toronto alone—I have not got the returns for Hamilton, but no doubt they will be in proportion—if this Act goes into force no less than forty persons who are now carrying on business respectably will be deprived of their licenses. I submit that this Act should not be for the purpose of depriving persons of their licenses, if, in the opinion of the Commissioners, they are qualified in other respects. I, therefore, move that 400 be inserted instead of 500 in this section.

Mr. BLAKE. It will be a great blessing to the city of Toronto to have the reduction made.

Mr. BERGIN. If this section will work mischief in Toronto it will also work mischief in all the other towns of the country. It will prove a very great injustice to men who have invested their capital in the business, and are keeping creditable houses. In the town from which I come it will work great mischief, for it will deprive of their licenses some men who for many years have kept highly respectable houses, without giving them an opportunity to relieve themselves from their property. Why should they not be placed on the same footing in this respect as they at present occupy, and one license be allowed for every 400 inhabitants? It is not intended, I presume, that this Act should be used as a means of persecuting people engaged in this traffic, but it is intended to be a protection to the public generally. I do not think it is going to forward the cause of temperance; I am a temperance man and a teetotaler, but I do not see why I should force my opinions down the throats of people in a manner to injure them. It is not in the interest of temperance that we should make this law so oppressive; we should endeavor to be just and not injure people in regard to their property. I will ask for the Committee to be divided on this question as between 400 and 500.

Amendment negatived.

On sub-section 3.

Mr. BLAKE. Will the hon. gentleman explain the exceptional provision regarding the city of Victoria, B. C.?

Mr. McCARTHY. One of the members from that Province on the Committee desired this exception to be made, and perhaps he can explain it better than I can. The figures 7,000 are a clerical error; they should be 8,000.

Mr. GORDON. I was going to ask that this be struck out. I cannot see why this exception should be made. The same principle applies to every other city and town in the Province; but it is so refreshing to find such a clause in the Bill, that I feel obliged to move that it be struck out.

Mr. SHAKESPEARE. As a representative of that city, I know better its requirements than any outside member. It may appear strange to find any difference made