

language could be clearer than the words I have quoted, proving most conclusively that their lordships recognised that legislation with regard to the licensing system belongs to the local legislation; that this Parliament can pass prohibitory or restraining laws, but in the absence of these restraining or prohibitory laws, it cannot deal with the licensing question; that must be left to the source where it was placed under the British North America Act. There are a number of living witnesses to the British North America Act, for it is not yet twenty years since the terms of that Act were discussed in this Chamber. I do not know whether attention was called to this particular paragraph of it, but the hon. leader of this House and at least another gentleman whom I see here, were members of the Government that prepared the British North America Act; and there are several gentlemen in the other Chamber, who were either part of the Commission or members of the Government at that time. Did any of them at that time or at any period during the last eighteen years, presume to apply to the clause under discussion, any such meaning? Did they at anytime within the last eighteen years argue that this Parliament had control of the licensing system? I think I could look up speeches by hon. gentlemen—and a number of them—and note on this subject, indications that their views were strictly in the opposite sense; that for a long time there were many gentlemen who believed that the Canada Temperance Act was beyond the power of Parliament. I was met at the very threshold, when introducing the Bill of 1878 with the statement that it was beyond the prerogative of Parliament, and that the subject of the liquor traffic was one that we could not deal with except in its large sense. I say that the bill itself was in no sense a disturbing bill so far as the licensing system was concerned; the line in my mind is perfectly clear; there is no confusion whatever, and the judgement of their Lordships is most intelligible. It gives us the powers I have enumerated, in the way of prohibiting and restraining, and we can do no more. If we do not prohibit and restrain, and if the local authorities issue licenses, we cannot intervene in any way. They can say whether a license shall issue from the municipality

or from an independent tribunal created by the local legislature. The mode of issuing those licenses, is different throughout the Dominion, and we now seek to disturb it. The people of Nova Scotia have a very excellent law now, which prevents any man getting a license unless he first obtains the consent of a given number of persons in the locality where the proposed tavern is to be placed.

There are other systems in other parts of the Dominion, and all surrounded by the best safeguards that the governments of the several Provinces could define. In the Province of Ontario, I think the system is an admirable one, and year by year they are restraining to a greater degree. I have the figures in my possession—if any hon. gentleman wishes to see them—to prove conclusively the diminution in the issue of licenses. Taking the yearly percentage of the population from 1874 to 1881, the diminution is 42 per cent. of the licenses issued. In 1874, the licenses issued to shops, taverns and saloons in Ontario, were 6185. The very first year the Crooks' Act came into operation, they were reduced to 3938; since that time, in 1877, there were 3678; in 1878—3715; in 1879—4020; in 1880—4049; in 1881—4133. Then you have to allow 15 per cent. in population, and had the issue of licenses continued under the municipal Act, the proportion in 1881 would have been 7112, as against the actual present figures which are 4133, as above stated; being a difference of 2979, in the Province of Ontario alone; which is equal to 42 per cent. Now, in the face of these figures, which are officially published by the Province of Ontario, I am surprised that His Excellency has been made to speak language such as that paragraph of the Speech contains; because, in my judgment it is not truthful. The deduction there is not warranted. There is not much else in the Speech to which I felt it necessary to call attention, and I trust I will be pardoned for going so fully into that particular paragraph, but it is so short a time since the legislation of which I myself had charge in this Chamber was placed on the Statute Book, that I felt naturally a personal interest in it. I then felt that the legislation introduced went quite as far as the Parliament of Canada should go,