

execution creditor any superiority of title over prior unregistered transferees, but merely protect the lands from intermediate sales and dispositions by the execution debtor, though if the sheriff sells, the purchaser by priority of registration of the sheriff's deed would under the act take priority over previous unregistered transfers.

Appeal dismissed with costs.

*Taylor, Q.C.*, for the appellants.

*Foy, Q.C.*, and *Chrysler, Q.C.*, for the respondents.

# JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

LONDON, 9 May, 1896.

*Present*:—LORD WATSON, LORD HOBHOUSE, LORD MORRIS and SIR RICHARD COUCH.

THE ATTORNEY-GENERAL FOR ONTARIO V. THE ATTORNEY-GENERAL FOR THE DOMINION OF CANADA AND THE DISTILLERS' AND BREWERS' ASSOCIATION OF ONTARIO.

*Constitutional law—Provincial and Dominion powers—Manufacture, importation and sale of intoxicating liquors—Prohibitory liquor laws.*

[Concluded from p. 192.]

[ These enactments would be idle and abortive if it were held that the Parliament of Canada derives jurisdiction from the introductory provisions of section 91 to deal with any matter which is, in substance, local or Provincial and does not truly affect the interest of the Dominion as a whole. Their Lordships do not doubt that some matters, in their origin local and Provincial, might attain such dimensions as to affect the body politic of the Dominion, and to justify the Canadian Parliament in passing laws for their regulation or abolition in the interests of the Dominion. But great caution must be observed in distinguishing between that which is local and Provincial, and, therefore, within the jurisdiction of the Provincial Legislatures, and that which has ceased to be merely local or Provincial and has become matter of national concern in such sense as to bring it within the jurisdiction of the Parliament of Canada. An Act restricting the right to carry weapons of offence, or their sale to young persons within the Province, would be within the