

authority of an Act of the Legislature empowering the Lieut.-Governor-in-Council in a general way to deal with such matters. But many lawyers think that this Act is so loosely drawn and so ambiguous that it gives the Lieut.-Governor-in-Council no specific authority in the premises. For, by the Dominion Act extending the boundaries of Manitoba, it was provided that the rules and regulations with regard to the prohibition of the liquor traffic in the North-west Territories, should continue in force in the new territory (to which Rat Portage, if it be not in Ontario, belongs) until repealed by an Act of the Legislature. But the Legislature has not repealed them by a specific Act, and lawyers hold that it has no power to delegate its authority to the Lieut.-Governor-in-Council; hence, that the North-West Territories' Act is still in force at Rat Portage.

"Thirdly, and this to a layman at least appears to be a fatal objection to the issuing of Provincial licenses at Rat Portage, the Dominion Public Works Act, prohibiting the sale of liquor within a distance of ten miles on each side of the railroad, was proclaimed in September, 1879, and is still in force. Whether Rat Portage be in the disputed territory or not, there can be no question that it is within ten miles of the construction works. The heaviest piece of work on Section B., the filling in of the 1,900 feet of gorge now spanned by trestles, is only two and a-half miles from Rat Portage. How can a Provincial Government issue licenses within the area covered by the Queen's proclamation prohibiting the sale of liquor?

"This, so far as we understand it, is the legal aspect of the question. The case of Mr. Rideout turned on a flaw, and its decision in his favour does not clear up the matter. The moral aspect of the question is of no little interest. Even if the Provincial Government were thoroughly persuaded that they had the constitutional right to issue licenses, we are not sure—in view of the number of Indians inhabiting the district in which Rat Portage may be said to be the only distributing point, and of the presence of hundreds of railroad navvies in the immediate neighbourhood—that they acted wisely in issuing them. Once admit liquor into such a region, and it is impossible to restrain its illicit sale. * * * In a region where the Queen's writ hardly runs, free trade in whiskey is far from desirable; more especially when, as in this case, there are Indians to be maddened by it, navvies to be made fighting-drunk, and railroad men, with the lives of scores and the property of hundreds in their hands, to be demoralized."

The release of the hotel-keeper, though only on bail, was regarded at Rat Portage as a triumph over the Dominion Magistrate and constables, and on the fact becoming known by telegraph, a bonfire was kindled opposite the hotel and a good deal of jubilation indulged in over what was considered the vigorous action of the Manitoba Government in thwarting the Dominion officials. Meantime, the Dominion constables, no doubt incensed at these proceedings, laid another information (this time under the Public Works Act) against both the nominal and actual proprietors of the hotel, at the same time seizing and destroying upwards of \$400 worth of liquor. Both were convicted, and in default of paying the fines, one of them, the actual proprietor, was committed to Winnipeg jail. On arrival there, he was immediately released by Judge Miller on the ground, it was stated, that the committing Magistrate had no right to call himself in the commitment a Commissioner of Police of Manitoba. It should be added that, on the arrest of the hotel men, indications were observable of an intention to resist the Dominion Police Commissioner and constables, should the former carry out his expressed intention of committing the defendants to the jail at Prince Arthur's Landing. It was publicly stated that the hotel men not only appeared at the Police office armed, but that they had otherwise prepared to resist the constables by placing missiles of a dangerous character on the road to and from the office and the hotel. On the release and return from Winnipeg of the hotel proprietor, an "indignation meeting" was held in the school-house, and resolu-