

sion of the law of the province into which such intoxicating liquor is sent shipped," and so on. That legislation is confined altogether to what is done outside the province. This Bill says:

Any person who manufactures any intoxicating liquor knowing or intending that such intoxicating liquor will or shall be thereafter dealt with in violation of the law of the province in which such intoxicating liquor is manufactured.

All prior legislation was directed against the man manufacturing liquor outside a province, knowing or intending that it was to go into the province. Now the Dominion steps in and overrides the provincial legislatures. The provinces have jurisdiction to deal with that question themselves; but the Dominion steps in and interferes with the provincial legislatures—the very thing that Mr. Spence points out. That seems a very small thing, but next year it will be something else; and piece by piece the provincial legislature will be altogether destroyed.

This legislation is altogether at variance with the well-stated opinion of Parliament when it came to a conclusion with regard to the so-called Doherty Act. When the provinces had jurisdiction we let them handle matters themselves; where they were handicapped by lack of jurisdiction we gave them the Doherty Act to help them out. I think the House should adhere to the position that we took in 1916, and not agree to this section.

Section 2 of this Bill is an old friend. This House in 1916 refused to entertain such a proposition. Under this section a man in the city of Ottawa may be accused by a man in the Klondyke of having sold a bottle of whisky to him in the city of Ottawa, knowing that he was going to take it to the Klondyke. The man making the accusation may be a man of character or a man of no character. A warrant can be issued in the Klondyke, and the man from Ottawa, whether he is guilty or not, can be taken out there. A stipendiary magistrate has to decide who is to be believed. You can see how the man from Ottawa is handicapped. He is the person charged, and he cannot have what every British citizen has been entitled to since Magna Charta, the right to be tried by his peers. How can he take witnesses as to his good character away up there, unless he is a very rich man? It is entirely out of the question for him to do so. There is no one to whom the stipendiary magistrate can appeal as to the man's character. What would be the result? The trial would be a

farce. Even if the accused were found not guilty, what would become of him? The temperance people tell you that they do not care what becomes of him—that he can foot it home.

Hon. Mr. DENNIS: What about the protection that he gets from the Attorney General?

Hon. Mr. ROSS: I have not yet come to that phase of the question. The position to-day is this: if a charge of selling liquor is made by a man in the Klondyke against a man in Ottawa, the Minister of Justice can put the accused on trial here, and, if the evidence warrants it, can have him convicted. That was regarded by this House as being satisfactory. But now the matter comes back again in another form.

In temperance, as in some other things, the more zealous people become, the more intolerant and tyrannical they are. The temperance people want to have a man hauled from one end of the Dominion to the other in order to be tried. Why are they not content with having him tried where he lives, and where he has committed the offence? Why turn the criminal law upside down? It is not done in any other case, except perhaps in the case of treason when the country is in danger. They want a law under which a man can be taken from Toronto to Nova Scotia, not by leave of the Attorney General of Ontario, where this provision might be some protection to him, but by leave of the Attorney General of Nova Scotia. As a matter of fact, these temperance zealots can make charges and get the consent of the Attorney General as a matter of course. What interest has the Attorney General, or how is he going to withstand a deputation, headed perhaps by some parsons and some women who are half hysterical on the question? There is the man a thousand miles away. They say: "He sold a bottle of whisky intending that it should be drunk down here. Get him down here: that is the way we will smash these things." It is an attempt to establish a tyranny and autocracy that I venture to say was never practised in Russia in the time of the Czar—it may have been in the time of Trotsky and Lenine. I say deliberately that it is the most damnable, dirty legislation that it was ever sought to put on our statute books. It is impossible to resist the temptation to use language that is entirely unparliamentary. I move that this Bill be not now read a second time, but that it be read a second time this day six months hence.