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TORONTO, FRIDAY, DECEMBER 6, 1901.

THE SITUATION.

The full text of the judgment of the Privy Council on the Manitoba prohibition question was in Winnipeg on Monday, and the Times' report of it was there on the same day. A fuller summary than previously published was sent from Winnipeg to some of the daily papers. Of the two, the Times' report is the fuller. According to these reports, the province might possibly have been constitutionally justified in going further than it did; for it is laid down that, under some circumstances, the Legislature might be justified in preventing liquor being brought into the province. These circumstances can only be guessed at, seeing that they are not stated, doubtless because no actual case had arisen to test their applicability. Though the Privy Council thought the bill of which the constitutionality was in question is the most stringent of its kind ever passed, it contains a provision authorizing any person in the province to import liquor from a person in another province, or from a foreign country, and this exception to the general purport of the law, is to have "full effect in exempting from the operation of the Act all bona fide transactions in liquors, which come within its terms." If the circumstances under which prohibition to import were known, some opinion might be formed whether any event is likely to arise that would authorize this additional latitude of provincial legislation. It is unusual, we believe, for the Privy Council to throw out hints about what might be beyond the scope of the set enquiry; and their doing so, in this case, is in marked contrast with the refusal to consider more than one question, when ten others had been asked, answers to which they declared could not be usefully given. The right of a province to prohibit the sale of liquor, within its bounds, is now settled beyond dispute. The right to prohibit the manufacture, in all cases, is not so established, being made, like importation, dependent on "circumstances," which are not known. But if the Manitoba Act prohibits manufacture, for purely local purposes, the prohibition will stand good.

The Ontario branch of the Dominion Alliance met in Toronto on Monday to consider the new situation created by the decision of the Privy Council on the Manitoba Prohibition Act. The promise of Sir Oliver Mowat, a previous Premier of Ontario, is cited as having promised "improved legislation in the line of prohibition," in lieu of license; and, as if this promise were binding on Sir Oliver's successor, they call for legislation prohibiting all provincial transactions in liquor for beverage purposes, reducing the use of liquor to medicinal purposes only. A deputation, to wait on the Ontario Government, was authorized to remind its members "of the Premier's assurance, given to a similar deputation, when the Manitoba case was SUB JUDICE, and to ask for legislation next session, and what is more, "to ask the Government for an early intimation of the plans by which such prohibition is to be secured and established, in our province." This is sufficiently peremptory. While these gentlemen were giving their warm desires to the Government, Mr. Ross, in a public speech at Wingham, was also touching with a light and cautious hand on the same subject. He had been asked a question about prohibition. His reply was: "It is too early for us to announce just what we are going to do, until we have had the full text of the decision." And he adds: "Had I the full text of the decision, I would be able, perhaps, to state what we would do." But he gave a general assurance that the Government will always act in the interest of the whole province; an assurance to which persons of different views may easily give a different interpretation.

The Winnipeg Telegram, which passes correctly, we believe, for an organ of the Manitoba Government, has an article strongly deprecating the resort of a referendum, which somebody has suggested, on the Manitoba Prohibition Act. It admits that "the belief is gaining ground that the Provincial Ministers are letting their thoughts dwell on the expedient of a referendum," as a means of unloosening themselves from the toils in which they find themselves; a course which that journal proceeds to deprecate in strong but not unfair terms. Is the Government divided on the subject? It can hardly be that in recalling the attitude of Mr. Macdonald, the organ is sustaining him against the Cabinet which he has left. The enigma is not easy of solution, when we consider the attitude of Government organs towards their patrons. Mr. Macdonald took up the question on political grounds. He saw, in the province, a strong prohibition sentiment, and he resolved to place himself in accord with it. He did not need to be a prohibitionist by conviction; he was only convinced that the electors ought to have their own way on the question. He pledged himself that if he carried the elections, his Government would pass a prohibition bill, and he was as good as his word. The present Government joined him in carrying the measure; and they cannot now, in good faith, turn round, now that the Act is known to be constitutional, and vicariously stifle their own offspring. If they be wise, consistent and honest—this is much to ask of politicians—they will let the Act go into effect at once. Manitoba, which wanted the Act, might be the better for the experience of its working.