

consider that after the lapse of two years, because that provision in the Act, like the other provisions, was drawn by one of the ablest lawyers in the land, and was concurred in by others equally eminent, and was adopted, as I understand, by the temperance body itself. At the same time, we are called upon to consider the question before us in this light: this is a Bill which proposes to repeal that clause in the License Act and remove an impediment to the proper working of the Scott Act. It has been stated that a judicial decision has been given that the effect of that 145th clause in the Liquor License Act is to neutralize and render nugatory those provisions of the Scott Act which give a remedy, by providing the punishment for the illicit sale of liquor under the Scott Act. The question is still further complicated by the fact that since this has been brought before us proceedings have been taken in the other House by the Government, by the introduction of a Bill to this effect, that the operation of such portions of the Liquor License Act of 1883, and the Act to amend the Liquor License Act of 1883, as the Supreme Court has declared to be *ultra vires*, shall be suspended only and until the same be decided by the Judicial Committee of the Privy Council to be *intra vires* of the Parliament of Canada. This introduces a serious matter for the consideration of the House, because the subject has been pressed upon me; the effect of throwing out this Bill would be to leave the counties where the Scott Act has been adopted, entirely without any remedy to enforce the penalties in that Act, inasmuch as the suspension of that Act would suspend all the powers of the Liquor License Act, leaving nothing for the Scott Act to proceed with. In other words, I am called upon to face the serious responsibility of leaving the country practically without any law to regulate, in the Scott Act counties, the illicit sale of intoxicating liquors, and that has been produced by the reasons which I have stated. I hope I make the point perfectly clear, because I may, perhaps, repeat, we should be in a very anomalous position by leaving this 145th clause of the Liquor License Act in operation, which has been decided, as I understand, to neutralize entirely the effect of the regulations for en-

forcing the penalties of the Scott Act. Under those circumstances, after looking at the matter in every point of view, and with a desire to do my duty as a legislator in this matter, and a most important matter undoubtedly it is, I have come to the conclusion to ask the House for leave to withdraw the amendment.

HON. GENTLEMEN—Hear! hear!

HON. MR. DICKEY—Retaining, as I do, the strong opinions that I gave to the House on a former occasion, and which I humbly submit, without desiring to provoke any discussion, have not been met in any way; at the same time I am not prepared to take the responsibility of leaving a very large portion of this Dominion without some sort of remedy against the illicit sale of intoxicating liquors. At the same time, I reserve to myself full liberty, except as regards this repealing clause of the Act, to consider any other parts of the Act, and there will be also an opportunity afforded to any gentleman who wishes to introduce amendments to the Act. Having taken that course, I hope the House will concur in it, and will agree that it is on the whole, such a course as will commend itself to the feeling of members on both sides.

HON. SIR ALEX. CAMPBELL.—I concur entirely in the step which my hon. friend proposes to take. I think it would be a great misfortune, and one which the House would hardly take the responsibility of, if they allowed the state of circumstances to arise which my hon. friend contemplates, and which has induced him to take the course he has suggested to the House. I would add further, that I think it would be probably more convenient if my hon. friend from Barrie, who rose to speak, would allow the debate to rest now, as far as the second reading is concerned, and that when the amendments come to be offered, and those of them which may be offered to the House come up for adoption, we may continue the discussion on the principle of the Bill. I think that would be a more convenient way of carrying on the discussion, than to continue it on the second reading after the step which the hon. gentleman from Amherst has deemed fit to take, and

HON. MR. DICKEY.