

Mr. A. K. MACLEAN: It is the most difficult thing in the world to establish violation of a law of this kind; in fact, it is almost impossible for a private prosecutor to do so. He has no means of testing the weight of the article which he has purchased, and the probabilities are that detections can only be made by officers of the department in their peregrinations through the country. They may have communications from individuals respecting short weights given by some particular dealer, and when visiting his store or inspecting his scales they might observe the weights of articles which were being sold, and in that way they would be able to establish any inaccuracy.

Mr. McCOIG: Will the officers work under a similar system to that of the Government officials under the Drug Stamp Act?

An hon. MEMBER: I hope not.

Mr. McCOIG: The Government officials in a number of cases caught innocent storekeepers who had small boys as clerks. In one city I have in mind an official prosecuted ten or fifteen storekeepers and they were fined \$50 each, and that official got a "drag" of \$25 apiece out of those fines. If the officials under this Act are going to work on the same basis, there is reason to use every precaution possible to protect the public before this Bill is passed.

Mr. A. K. MACLEAN: I do not think the cases are quite comparable. Whether or not a stamp was affixed to a package of patent medicines is a fact easily established; if it was not affixed, technically the offender is guilty. I do not think there is the same opportunity for abuse in this case as there might be in the case to which my hon. friend refers. I believe I may safely repeat, that all prosecutions under this section must necessarily be initiated by the officers of the department, and I trust they will always exercise their duties with some discretion.

Mr. PEDLOW: From personal experience, I can state that that is not usually the case with officers of Government departments, and I am not now speaking of this particular department. The point raised by the hon. member for Kent is well taken, and I regret to state that officers in this connection are not always, like Caesar's wife, above reproach. I have had similar experiences to that indicated by him. I know a case where an officer of the department visited the town of Renfrew and tried his level best to induce junior employees to

deliver to him packages without a stamp on them, and he knew they should have been stamped, but he endeavoured to induce the employees to commit an offence under the Stamp Act. I know that from personal experience. The same man operated in every store in that town on the same occasion along the same lines. I feel that no merchant would be any safer in the hands of an official of this department. This will be the last and final appeal from me in this regard. I have known cases where dishonest buyers tried to make believe that their measure was short. The merchant has no protection under this Bill in cases where customers take the goods home, remove a portion of them and come back to the store claiming that the weight or measure was short.

Mr. A. K. MACLEAN: This indicates again how difficult it is to prosecute, even under this section. The Act will never be invoked unless an officer of the department knows that a certain man is habitually given to short deliveries. The evidence can only be secured after a great deal of trouble, probably by the officer of the department being in the store when the deliveries are being made.

Mr. PEDLOW: I do not see, then, why the word "knowingly" should not be inserted after the word "who" in the first line.

Mr. McCOIG: The word "knowingly" is used in section 69; why should it not be used in this?

Mr. A. K. MACLEAN: Because a man would know whether or not his scales were being tampered with.

Mr. BALDWIN: Where will this weight be taken, or where will the account be made to ascertain whether the measure is correct—at the counter, or after the customer has taken the goods home? Some twenty years ago I had in my employ a gentleman of high standing. A customer had been annoying him with frequent complaints of short weight, and he asked me what to do. I said: Do you know that you have made no mistake? He said: Absolutely. I said: You weigh him out a pound more sugar than he asks for the next time he comes, and give him thirteen lemons or bananas instead of a dozen. He did so, and there was no complaint. I said to him then: You may go to that customer and tell him that you have proof that he is not honest, because he has not reported the