

in the Commons was asked if there had been any judicial decision on the question he stated that there had been none. He was also asked whether any legal opinion of consequence had been obtained. He stated that they could not produce any legal opinion of consequence. Are we, therefore, to take the *ipse dixit* of any one of those gentlemen who confessedly had no legal training, but who came here as a delegation from Western Ontario, and stated to us that this law had been inoperative by the insertion of the words complained of, after the solemn deliberation of the two Houses of Parliament had intended and declared otherwise? Were we to accept the statement that these two branches of Parliament were wrong in the conclusion that they arrived at? Were we called upon to stultify ourselves after Parliament had inserted these two words, because three men representing certain farming institutes have given it as their opinion that these words render the Act inoperative? Are we called upon on such a statement to declare ourselves in error to such an extent as to say we were wrong last Session, and that, therefore, we shall expunge these words this Session of Parliament, without any decision of a court or any legal opinion as to the necessity for such action? The excuse was made why legal opinion was not obtained, or why a test case had not been made, that the public were not called upon to put their hands in their pockets for the purpose of testing whether an Act of Parliament of this kind was sufficient to carry out the purposes which Parliament had designed in passing it. The delegates stated that they represented no less than 8,000 farmers in Ontario — that they represented a combined strength of 8,000 farmers, who protested against the retention of these words in the Act. Now, if these 8,000 farmers had considered that they labored under a grievance they could by placing their hands in their pockets and contributing 25 cents each have raised \$2,000, which would have carried a test case into the highest court of the land and proved whether the expunging of these two words or their retention was necessary. But did these 8,000 farmers consider to the extent of 25 cents each that it was necessary to do such a thing? I say they did not. Another delegate told us that he represented 200 retail

grocers in Montreal. Now, if these 200 retail grocers had chosen to put their hands in their pockets and contribute \$1 each they could have obtained the best legal opinion in the Province of Quebec as to whether these two words would render the Act inoperative. I submit to this honorable House that as the Act stands these two words are simply declaratory of the law as it stood before. We know that the masses of the people are continuously asking Parliament to make its Acts clear. I say that Parliament has done it in this particular case. They not only assist a definition being placed on the word "unlawful," but they have made it clear on the Statute book what constitutes a contravention of this Act. Therefore, it should be considered to have been a commendable motive that prompted Parliament to place these two words on the Statute and make it clear. Considerable reflection has been cast on the judiciary of this Dominion by observations of certain hon. gentlemen. I think if they had considered the import of the observations made they would not have made them. They say the court cannot possibly construe the words "unduly or unreasonably," I assert that the courts of this Dominion are called upon every day to construe these and kindred words. We find in real property law the words "reasonable wear and tear." Take the converse of that, "unreasonable wear and tear." The courts are called upon every day to construe that particular phrase. Will my hon. friend from Monck contend that all these qualifying phrases should be expunged from our statutes because a court of law may find it difficult to construe what they mean? In our commercial law we find the phrase "reasonable time" expressed. They are to be found in our Bill relating to bills of exchange and promissory notes, which passed this House the other day, and will the hon. gentleman from Monck say that our commercial law should be revised, and that these limiting words should be struck out in case the court should throw up its hand by reason of inability to construe these particular words? Then in our law on wills and also upon elections, we find the words "undue influence" cropping up. Will the hon. gentleman from Monck say that the word "undue" should be struck out because the judge of a court may not be able to ascertain what the word "undue" means? Wilful negligence,