

asking for this authority, and the hon. gentleman cannot get away from that.

Mr. MEIGHEN: That is quite correct. The man might only get \$500 in respect of his homestead, but there are many thousands of cases now of men who have pre-emptions as well, so that without any difficulty he could get a thousand dollars worth of value from the Crown and then immediately sell it and attempt to escape from the country. The hon. gentleman suggests that a maximum fine of \$1,000 is too much. In such a case as referred to the man would be taking no chances at all; even at the maximum he would be ahead the whole amount of the fine. The twelve months' imprisonment bears the proper relationship, I think, to that maximum fine. Really I am rather surprised that it should be objected to, because if the maximum is made too small the dread of it is that much less.

Mr. MAHARG: Ordinarily I would not object to the imprisonment penalty because it is applied where usually there is fraud being perpetrated. As to the fine, offenders are usually in a position to pay it. In this case, however, the circumstances are exactly reversed. No man who applies for seed grain is going to expose himself to the imposition of a \$1,000 fine. If the minister will undertake that no prosecution shall be entered except at the instance of his own department, or the Department of Justice, and eliminate the fine, I shall cease my objection.

Mr. MEIGHEN: If the man could not pay the fine, and you eliminate the imprisonment, that does away with the punishment altogether. Really I do not know what hon. gentlemen are after. It may be that in the great majority of cases where fines are liable to be imposed, the man presumably could not pay. But if he could not presumably pay he very often does pay if there is the alternative of a considerable term of imprisonment. He gets the money somehow, he gets it from his friends, or in some way or other, so that fines are always there as an alternative. The same rules apply as to any other prosecution by statute; this is not in any class by itself at all. The man who steals presumably has not the money himself; although in many cases he has. In many cases men will borrow money on seed grain loans when they have means of their own. They have had in many cases, and they will again, so that we have no right to suppose they will not have the money. And even if we have the right to suppose they would not

have the money, that would not be an argument for eliminating imprisonment, it would be an argument for retaining it.

Mr. MAHARG: My complaint is that you have not altered the clause at all. It still reads that a man may be liable to fine and imprisonment without having intentionally committed any wrong whatever.

Mr. MEIGHEN: I have inserted the words "through his own default," and I have also added to the provision that there shall not be a prosecution except with the consent of the Minister of Justice, who, of course, would never give that consent except on the application of the Minister of the Interior.

Mr. McMASTER: I think the minister will see that the cause of justice will be just as well subserved if he cuts the term of imprisonment and the fine in half. These violently savage provisions do not tend to the good administration of justice. Let the punishment fit the crime. If a man makes away with some of this seed grain he will only do it nine times out of ten because he was driven to do so by hardship or necessity. If he does it he should be punished, but it does not redound to the credit of this country to have these savage enactments on the statutes. I must ask the minister to cut his fine and his imprisonment in half. He will find his law just as well applied, just as well carried out, everybody will be happier about it, and it will tend to bring more people into the Northwest, and I am sure the hon. gentleman himself thoroughly desires an increase in the population and prosperity of that country.

Mr. BUREAU: That's a great appeal.

Mr. MEIGHEN: This provision will not affect immigration at all, because homesteads and pre-emptions are pretty well out of the way for some time to come.

Mr. McMASTER: It is the atmosphere which is created.

Mr. MEIGHEN: The hon. gentleman refers to this as savage. Surely the adjective is ill-chosen.

Mr. McMASTER: No, very well chosen.

Mr. MEIGHEN: Can the hon. gentleman point me to an enactment on the statutes of Canada where the penalty is less than the amount the offender could gain by the offence? He cannot do it. The hon. gentleman says that in nine cases out of ten it will be because the fellow is hard-up and driven to it by necessity. Very