

hon. gentlemen have suggestions to make; I have myself received some five and twenty suggested amendments, and I would like to know whether it is intended to prosecute that measure or not; if so, I really think it ought to be proceeded with before the very last dying hours of the Session.

Sir JOHN A. MACDONALD. The Minister of Finance, who has charge of that Bill, I regret to say, is not here to answer, but he will give an answer to-morrow.

WEIGHTS AND MEASURES ACT AMENDMENT.

Mr. COSTIGAN moved that the House again resolve itself into Committee of the Whole on Bill (No. 120) to amend the Weights and Measures Act of 1879.

Motion agreed to; and the House again resolved itself into Committee.

(In the Committee.)

Mr. COSTIGAN. Hon. members who have this Bill will see that I have caused to be reprinted the suggested amendments that have been accepted.

On section 1,

Mr. BLAKE. The hon. gentleman I observe has fixed \$10 as the minimum penalty. It is possible there may be cases in which weights have become light from wear and tear, and where no moral wrong was committed. Under such circumstances \$10 would be a severe penalty.

Mr. COSTIGAN. Experience has shown that light penalties are inoperative, and it is because we found it necessary to increase the penalty that \$10 was fixed as the minimum.

On section 4,

Mr. BLAKE. Why is the minimum penalty made \$5, while the amount is \$10 in the first clause. Under this clause it is not possible for a trader unconsciously to commit an offense, because he must be aware that the law requires all weights and measures to be stamped. The maximum penalty is, however, fixed at \$50 instead of \$25.

On section 5,

Mr. BLAKE. Will the hon. Minister explain why he imposes a specific penalty of \$40 for forging or counterfeiting stamps used under the Act. In the preceding section there is an elastic provision making the penalty not more than \$50 and not less than \$5. If the principle of having a fixed penalty is applicable in one case it is applicable in the other.

Mr. COSTIGAN. I may say that we have adopted these fines from our experience of the working of the Act, and we have only amended them where amendments have been found necessary. We have not altered every clause of the Act, and I think we had better allow the section to stand as it is.

On section 7,

Mr. BLAKE. Will the hon. gentleman explain the proviso of this clause?

Mr. COSTIGAN. I must confess, Mr. Chairman, that any time I have attempted to introduce any Bill into this House, I have had more trouble to explain it to the hon. gentleman than any other member of this House. As to the proviso, it is simply, I suppose, because that the scales mentioned there cannot be inspected in any other way.

Mr. BLAKE. What is the meaning of the dormant scales mentioned here?

Mr. BLAKE

Mr. COSTIGAN. I suppose they are scales which cannot be used until they are set up.

On section 10,

Mr. BLAKE. Has there been found some difficulty in recovering fees at present so as to render this special provision necessary?

Mr. COSTIGAN. Yes.

Mr. BLAKE. It is understood, I see, to imprison a man if he does not pay fees. I can understand a man being imprisoned for not paying forfeitures or penalties, but it seems rather harsh at this time of day to put a man in gaol for not paying fees. I do not remember at the moment of another instance in which the non-payment of fees is punishable by imprisonment in the common gaol.

Mr. COSTIGAN. In that case I would consent to any amendment which would prevent its having that effect.

Mr. BLAKE. Well, then we had better have the amendment.

Mr. COSTIGAN. Perhaps as the only object of the amendment is to include these fees it would be as well to strike out the whole section.

Amendment agreed to.

Mr. HALL. I have been requested by the hon. member for Richmond and Wolfe (Mr. Ives), who is absent, to move that to the section 26, the following be added as a subsection:—

"Every hermetically sealed package of canned goods, such as fruit, vegetables, fish and the like, must have the exact weight of the contents of such tin, can, or package, legibly and permanently marked on it; and any packer or other person found guilty of selling such goods in any such tin or package, on which the weight of the contents is not represented as above specified or on which the weight is misrepresented, shall be liable to a penalty of not less than \$2 for the first offence, and to a penalty of \$10 for each subsequent offence, and to seizure and forfeiture of all such tins or packages found on his premises and not marked as hereby required."

Mr. COSTIGAN. Since the introduction of this Bill, I have received several communications, complaining of frauds in connection with the sale of canned fruit and vegetables, owing to cans professing to contain 3 lbs., actually containing only perhaps 2 or 2½ lbs., and cans professing to contain 2 lbs. containing perhaps only 1½ lbs.; and it has been suggested, in order to meet such cases, that all hermetically sealed packages should contain as much as they profess, for the security of the public. I have no objection to accepting this amendment as clause 10 instead of the one which has been struck out.

Mr. VAIL. Will this provision be confined to goods sold in the country, or will it apply to goods shipped out of the country? It might very seriously affect our export trade in the Lower Provinces, and it should be carefully considered.

Mr. BLAKE. And would the hon. gentleman say whether or not these complaints have been made with reference to home manufactured goods, or to imported goods?

Mr. COSTIGAN. I think the complaints are more on account of imported goods than the home manufactured.

Mr. BLAKE. Is it the home manufacturers who are making the complaints?

Mr. COSTIGAN. No; the complaints come from persons who are not interested in the manufacture of these goods at all. If the clause should affect goods for exportation, the wording of it might be changed.