

Dairy Industry Act

object, that it might prevent a prosecution in some cases, or that innocent parties might be condemned. On the contrary, it was pointed out before the committee that the judge would always give the accused the benefit of the doubt, and that it would only be in cases where proof was positive that the penalty would be imposed. The dairy commissioner thought that in cases where there was absolutely no doubt as to a man's guilt the penalties were not too high. These men should be sent to gaol, he said.

Mr. NEILL: My hon. friend uses the right word, or the wrong one, perhaps, when he uses the word "judge." If these cases came before a judge I would not have so much objection, but they will come before a local justice of the peace who may not know the elementary principles of the science of the law. My hon. friend has quoted in support of this bill the Quebec dairymen's association, who, he says, have endorsed it. Quite so, an *ex parte* endorsement. Expert dairymen, yes, but are they expert lawyers, or expert judges, or expert in determining what will produce the result aimed at in this case? My hon. friend says that Mr. Ruddick thinks the penalties are not too high. With all due respect for Mr. Ruddick, who is a very able man in his own sphere, perhaps he is not qualified to judge on this question of penalties. They ought to go to gaol, Mr. Ruddick says, according to my hon. friend. Why not let us hang them? I can recall a case in Turkey where a baker was giving light weight in his bread. The sultan had him put into the oven and baked with the bread, and he boasted that that one case of severity stopped further infractions of that kind. Those are eastern ideas of justice; they are not western ideas.

Mr. GOBEIL: May I point out that probably not one case out of a hundred would go before a local justice of the peace, as my hon. friend suggests.

Mr. NEILL: It must.

Mr. GOBEIL: These offences are taking place in Montreal and other big cities. I do not think there is one case out of a hundred in the rural districts.

Mr. NEILL: There are many creameries in country places. My hon. friend says that these cases will go before a judge. They will not go before a judge, because the section says, "upon summary conviction." If the minister would have that changed to read, "on indictment," I would say no more about it.

[Mr. Gobeil.]

Mr. CAHAN: This adulteration of butter in the province of Quebec has reached such enormous proportions that a fine of \$500 or even \$1,000 is not a deterrent. It is not adulteration which is practised by those who make the butter. The farmers of the province of Quebec are as honest in their dealings as the farmers in any other province; but in the city of Montreal, where there is a population of about one million and a quarter, there are men who purchase from the farmer butter which is unadulterated and quite suitable for the market, and then in secret factories they manipulate the butter by adding to it large quantities of oil, purchased at a low price. The profits are so enormous in this illicit dealing in butter, that when the offenders are brought to justice they are willing to pay almost any reasonable fine that may be exacted. For instance only a short time ago one of the leading dealers in the city of Montreal purchased in that city a large quantity of butter which was represented to him to have been obtained from the farmers of a certain district in the province of Quebec who have the reputation of making the choicest quality of that product. The samples given to the dealer were found to be up to quality and standard. I am advised that he shipped a large quantity of that butter to England as per samples, but when it reached the old country it was found that thousands of pounds of that butter consisted 60 per cent of cheap oil. Rather than allow the reputation of the province of Quebec to suffer from such a sale in the English market the dealer took the entire loss and had the butter shipped back, or destroyed, I have forgotten which. The fact remains however that to the dealer the butter was a total loss.

One case was brought to my notice where a man was buying good butter placing it in an old bath tub in his house and adulterating it with cocoanut oil. That butter was placed on the market and an enormous profit was derived owing to the fact that it was sold as a high standard product. Some penalties must be imposed. I am informed that the judges of the court of sessions in the province of Quebec have found it impossible to deter evil doers from adulterating butter by imposing the existing penalties. That is my information and therefore I am very much in sympathy with the object of the promoter of this bill. In justice to those who have to do with the health of a great city such as that in which I live, and to those who have at the same time to protect the reputation of the producers of butter throughout that province, heavy penalties should be imposed.