

of the accused to jail for one year and another for fifteen months. This was the death knell of all those lotteries in Montreal. If the proposed section were passed, it would, to my mind, cover the case very clearly.

Mr. MONK. What my hon. friend from Gaspé says is quite correct, but at the same time this society to which he refers, succeeded, in spite of the lawsuits and the very great efforts made to suppress it, in carrying on its operations for a time and ruining many poor people—servant girls, employees and clerks—and I am afraid, in spite of what my hon. friend says, that if we adopt the proposed system, means will again be found of surprising the good faith of the hon. the Secretary of State, as was done in the instance I have referred to, and in which instance that hon. gentleman was not to blame in any way. These people will come to the government and say that if the London Art Union is given these privileges, they should be given like privileges, and they will succeed in wresting a license from the Secretary of State, and before the license can be cancelled, they will have got in their work and done great injury to the community.

Mr. BROCK. Will the hon. minister say when it would be proper for me to move the amendments to the Criminal Code in connection with preventions to cruelty of animals, which he promised to consider?

The MINISTER OF JUSTICE. My hon. friend may move them now and we can let them stand until the Bill is in committee again.

Mr. BROCK. I beg to move the following amendments:—

By inserting immediately after section 514 the following section:—

514 (a.) No cattle shall be carried in the same car, van, vehicle or vessel with larger cattle of another species, or with other cattle likely to attack or injure it, unless a suitable substantial partition, securely fastened in such car, van, vehicle or vessel, is placed and maintained therein, and is sufficiently strong to keep such first mentioned cattle securely separate from such larger or other cattle, or unless some other effectual means of keeping it so separate is provided, and any company or person owning or operating or in charge of any such car, van, vehicle or vessel, who knowingly and wilfully carries therein any cattle contrary to the provisions of this section is guilty of an offence and liable on summary conviction to a penalty not exceeding \$100.

Section 514. By repealing subsection five thereof and substituting the following subsection:—

5. Every railway company, and every such owner or master of a vessel, having cattle in transit as aforesaid, shall provide in the car or vessel containing such cattle, sufficient dry, and otherwise suitable bedding for such cattle; and when such cattle are unladen from a car for rest, water and feeding, the railway company then having charge of such car shall, unless it is impracticable so to do by reason of

frost, clear the floor of such car and renew such bedding with clean material before re-loading the car with cattle.

Section 515. By repealing subsection one thereof and substituting the following subsection:—

Any peace officer may, at any time, enter any premises or place where he has reasonable ground for believing that any car, van, or vehicle in respect of which any company or person has failed to comply with section 514, or section 514 (a) is to be found, or may enter any such car, van or vehicle, or any vessel in respect of which he has such reasonable ground for believing that any company or person has so failed, or may enter any premises or place whatsoever where he has reasonable ground for believing that any officer under this part is being or has been committed.

Amendments allowed to stand.

Mr. HENDERSON. There is only a minute or two before six o'clock, but I hope the minister will not object to answer a question. In the province of Ontario we have a law just such as is provided in this section. There is also power in the Municipal Act to regulate the sale of cigarettes, and, in the village in which I live no person is allowed to sell cigarettes without first taking out a license and paying therefor \$75. But it is a common practice for the news-agent on the railway train passing through the village to come upon the platform in the evening, and more especially on Sunday night, and sell cigarettes from the platform of the train. He claims he has a right to do so notwithstanding the by-law or any law, because he is selling these cigarettes from a car on the Grand Trunk Railway. Could there be any law which would give a person the privilege of selling cigarettes from a railway train in any municipality where the sale of them is prohibited, except under license or regardless of the provisions of this statute? Is there any such provision in the Railway Act or any other law?

The MINISTER OF JUSTICE. There is no provision that I know of; and I do not think that any persons who would make a sale in contravention of this would enjoy any immunity merely because he sold from the platform of a railway train.

Mr. LENNOX. There is a little more in it than that. These people get a license for the sale of cigarettes, as I understand. The provincial government have power to delegate their authority to the local municipality, but they reserve the power also to give provincial licenses, and under those licenses the sale is carried on. If a person has the right to sell, it is easy to see the inconvenience of making that license depend upon municipal regulation. The news-agent does not know when he passes from one municipality to the other. If the sale was prohibited, it would be a different matter.

Progress reported.

At six o'clock, House took recess.