

between a dealer and a manufacturer and the dealer gets a lot of binder twine that is wrongly marked, he should be held responsible. Suppose a manufacturer is outside the country, and you cannot follow him, and suppose a dealer is imposing on the farmers by selling them binder twine which is not up to the standard, you must hold the dealer responsible, and he must see when he buys his twine that it complies with the law.

Mr. CLARKE. Can the dealer follow the manufacturer outside of the country if the twine is improperly marked?

Mr. CAMPBELL. He need not buy his twine from that manufacturer. That is his remedy.

Mr. GILMOUR. It is necessary to protect the dealer as well as the farmer. If the dealer buys from an outside manufacturer, before the binder twine is allowed to come into the country, care should be taken to see that it complies with the law. If the twine is manufactured in this country it should be inspected before it leaves the factory. Many dealers would not be able to tell how many feet there were to the pound in a ball of twine, and would not, therefore, know whether it complied with the law or not. It is unfair to the dealer to place such a responsibility upon him unless you provide for an inspection such as I have suggested.

Mr. HEYD. There is nothing harsh in the provisions of this section. The same principle applies to the grocery trade. If a grocer sells a pound of adulterated pepper to an innocent purchaser he is liable. He has his recourse against the wholesale dealer, but primarily he is responsible. It is an easy thing for the dealer in binder twine to protect himself by simply purchasing from reputable manufacturing establishments. There are no manufacturers of a reputable character engaged in the trade putting up improperly marked binder twine, and all the dealer has to do is to see when he makes his contract that he makes it with a respectable firm. If you are going to do the farmer any good you have to reach the man who is selling twine, because he is better able to protect himself from the charge of selling improperly marked twine than the farmer is to protect himself from imposition. There is no hardship in this case, and the law, to be effective, must be enforced against the dealer.

Mr. STEPHENS. If when the binder twine is imported into the country it could be examined and passed by a competent person before it goes into the hands of the dealer, it would be better and more simple. It is a difficult thing to know whether binder twine is running the length that is marked on the tag or not, and it puts the dealer to considerable trouble to find out, whereas, if a man who was well up in the business could examine the twine as it entered the country, and pass it before it entered into

Mr. CAMPBELL.

the hands of the dealer, it would be much more simple and much more effective.

Sir RICHARD CARTWRIGHT. That is done at the manufactory as far as is practicable.

Mr. STEPHENS. I have reference to imported twine more than to twine made in the country.

Mr. HAGGART. Suppose a dealer buys twine believing it to be all right, the fact that it was found afterwards to be not all right would be only prima facie evidence against him in the court. I take it that he would be able to explain to the court if the purchase was made in good faith by him. The fact that it was found not to comply with the law would not be sufficient to convict him. Surely the dealer would have the right to explain it. Does the right hon. Minister of Trade and Commerce say that the very fact of the dealer having in his possession twine which might be properly marked, but which was not of the proper length, and who sells it to another party although he bought it in good faith, would be liable to conviction under the Act?

Sir RICHARD CARTWRIGHT. I think so.

Mr. HAGGART. The ordinary interpretation of the statute would indicate that the fact would only be prima facie evidence as to the guilt of the party, and that he would be at liberty to explain afterwards.

Sir RICHARD CARTWRIGHT. I think it will render the Act almost null and void unless you compel the dealer to be responsible for giving the article that he professes to give and that he gets money for. The dealer receives a certain sum of money for selling a certain number of feet of binder twine, and if he does not sell that number of feet of binder twine he will do so at his own peril, and he ought to be convicted.

Mr. CLARKE. Does the law make it obligatory that every ball of binder twine shall have a stamp with the name of the manufacturer upon it?

Mr. HEYD. On to-day's order paper there is a question which shows that fifty-five samples of jam out of seventy-four have been adulterated, and if I understood the reply given to that question, it was that the men selling that jam were to be prosecuted. Why should a man who sells adulterated jam innocently be prosecuted any more than the man who sells binder twine which does not comply with the law?

Mr. CLANCY. Because in one case there are no inspectors, while in the other there are inspectors.

Mr. HEYD. This trade is inspected. Any man who is engaged in the grocery trade is supposed to sell pure goods, and the only recourse he has is to fall back upon the man