

Saturday, June 3, 1939

The house met at three o'clock.

### QUESTIONS

(Questions answered orally are indicated by an asterisk.)

#### CATTLE IN COMMUNITY PASTURES IN 1938

Mr. COLDWELL:

1. How many cattle were accommodated in community pastures during 1938?
2. What were the reported losses?
3. What were the causes of such losses?

Mr. GARDINER:

1. 1,281.
- 2 and 3. One heifer killed by lightning; one calf missing, cause unknown.

#### COTEAU MUNICIPALITY, SASK., COMMUNITY PASTURE

Mr. COLDWELL:

1. What is the estimated cost of completing the community pasture in the municipality of Coteau, No. 255, Saskatchewan?
2. How much money has been spent on this pasture to May 1, 1939?
3. To what persons or contractors was the above money paid?

Mr. GARDINER:

1. \$3,500.
2. \$13,895.50.
3. Work undertaken by Department of Agriculture employing local farm labour.

#### SALES TAX ON ICE CREAM

Mr. CLARKE (Rosedale):

What was the amount of sales tax collected on ice cream, by provinces, for the fiscal years ending March, 1937, March, 1938, and March, 1939?

Mr. ILSLEY: Departmental records do not show the amount of sales tax collected on any one commodity.

### CRIMINAL CODE

#### REGISTERED BOTTLES OR SIPHONS—EFFECT OF SECTION 490

On the orders of the day:

Mr. VINCENT DUPUIS (Chambly-Rouville): I rise to a question of privilege. Under public bills and orders there is a bill standing in my name, Bill No. 131, to amend the criminal code for the purpose of clarifying the provision in the criminal code with respect to farmers who sell various products on the local markets in large cities. This bill was to come up last night but the house adjourned at four

[Mr. Dunning.]

o'clock. May I ask the Minister of Justice, the acting Prime Minister (Mr. Lapointe), whether the officers of his department have submitted an opinion with regard to section 490 of the criminal code in so far as it affects such farmers. At present the courts convict farmers even when they have not in their own possession milk bottles and other containers, the property of various companies.

Some hon. MEMBERS: Order.

Mr. LAPOINTE (Quebec East): Don't make a speech.

Mr. DUPUIS: Purchasers hand such bottles to the farmer and he fills them with milk. I should like to know what interpretation the law officers of the department have put upon the section in question.

Right Hon. ERNEST LAPOINTE (Minister of Justice): I do not regard the hon. gentleman's remarks as constituting a question of privilege, but I have no objection to saying that when he introduced his bill the Department of Justice expressed the opinion that no amendment to the section was needed to protect the persons whom he intends to protect.

I do not think any amendment to the section is required to protect the persons whom it is intended to protect, as indicated in the explanatory note. For instance, if a farmer in selling milk delivers it to the purchaser in a bottle produced by the purchaser, presumably for the purchaser's own use, the farmer would not, in the language of the section, "fill such bottle with milk for the purpose of sale or traffic." He merely sells the milk. Nor would he "use such bottle for the sale therein of milk." He merely sells the milk, the purchaser uses the bottle. Nor would he "have such bottle." The purchaser has the bottle.

Mr. DUPUIS: I understand that this opinion covers not only milk but also all other dairy products, including cream.

Mr. LAPOINTE (Quebec East): Yes.

### DEPUTY MINISTERS

#### REQUEST FOR PRESS STATEMENT ISSUED BY MR. BENNETT ON APPOINTMENT OF DEPUTY MINISTER OF FINANCE

On the orders of the day:

Mr. JEAN-FRANCOIS POULIOT (Temiscouata): May I ask whether a statement made by the leader of the government on the appointment of any deputy minister and handed to the press is an official document, copies of which members may receive on request? If so I should like to receive a copy