

lated, manufactured, or reworked, any substance that might be used for the adulteration of any such product and the presence upon any such premises of any fat or oil capable of being used for such adulteration shall be prima facie proof of intent so to use it.

I am glad that the Minister of Justice is in his place this evening, because I would point out to him that in a criminal case it is not only questions of fact that must be proved before the court; there must be prima facie proof of intent. How would a justice of the peace interpret those words "prima facie" in this connection? If there were the smallest addition of oil in the article produced he would almost certainly convict the accused. In my opinion this law is going altogether too far, with those added words with regard to prima facie proof of intent.

Mr. NEILL: The hon. member for Queens quite properly deplored any suggestion of politics in dealing with the situation before us, and I do not think he can say that I have approached the consideration of this subject in such a spirit. But I can also deplore his suggestion that anyone who has the interests of the dairy industry at heart must vote for this bill willy nilly. He is quite wrong in that regard. I have the interests of the dairy industry at heart and that is why I oppose the bill. I do not think it will serve the purpose for which it is intended, but will do more harm than good. There is already a minimum penalty of \$400. Is not that enough? I agree with the hon. member who suggested that the difficulty might be met by striking out the provision with regard to the minimum penalty, leaving it to the judge to go as high as \$2,000 if he wishes. I would also strike out the words "upon summary conviction" in the seventh line, substituting in their place the words "on indictment". I should not be afraid to take a chance before a court on indictment. The matter would be taken to a county court instead of to a justice of the peace; and as we all know, justices of the peace do not pretend to be versed in the art of weighing evidence. A justice of the peace might give a harsh decision or on the other hand be influenced by neighbourly considerations. He might say, "I have known Bill Jones all my life. He has got a certain percentage of foreign substance, perhaps water, into his butter by accident and I will not fine him \$2,000". And he will acquit the man when technically he should not be acquitted. I have not heard anyone outside the province of Quebec advocating legislation

of this character, and if it is felt to be desirable in that province, I would say, confine it to the province of Quebec. It is sometimes a good thing to give people what they want for a time.

Progress reported.

## STATUTE OF WESTMINSTER

RESOLUTION FOR AN ADDRESS TO HIS MAJESTY  
REQUESTING THE ENACTMENT OF AN IMPERIAL  
STATUTE.

The house resumed consideration of the motion of Mr. Bennett for the presentation of an address to His Majesty the King.

Mr. RALSTON: With the permission of the house, if the Prime Minister will allow me, in view of the fact that the address does not go to committee, might I mention to him one other matter of form which I had in my notes and which I neglected to point out at six o'clock. I submit that the address would be very much clearer, and its meaning would be more adequately conveyed, if the order of the last two paragraphs inserted by the dominion-provincial conference were reversed, section 2 made section 3, and section 3 made section 2. That would then put in its proper place the power of the province to repeal any act of the United Kingdom repugnant to a provincial act and would provide after that the limitation that the province could exercise that power only within the ambit of provincial jurisdiction.

Mr. BENNETT: I may say that some question arose as to the modification in any respect of the conclusions arrived at by the interprovincial conference, and in view of the fact that the conclusions were initialled by representatives of all the provinces, we did not feel at liberty to change a single letter in them. Hence they appear in just the form in which they were set up and agreed upon. I doubt not the draftsman in combining the various sections of the bill will take that into consideration, for he is in no sense bound by their order. But in view of the fact that a committee had set up and agreed upon this formula and initialled it, we felt we were not at liberty to make a change. I think my hon. friend would have felt the same way.

Mr. HENRI BOURASSA (Labelle): It may be cruel to inflict a speech on the house in this temperature, but, on the other hand, the temperature is suited to a sedate debate such as this calls forth. I was naturally extremely interested, as I think were all members present this afternoon, in the masterly