

the way in which notes are now taken by implement agents, the notes reciting that if the party parts with any portion of his property the note shall mature at once. I have known cases in which these have been used, and parties have almost ruined some men by suing on the notes, although they were not due for two or three years. I do not know whether we can reach anything of that kind in this House. I think there is an Act of the Ontario Legislature which would reach these parties, although I am not sure. However, I am quite in accord with the spirit of the Bill introduced by the hon. member, and I am exceedingly pleased to learn that the Minister of Justice is disposed to recognize its importance, and to give it his serious consideration, with the view of having it become law at the earliest possible date.

Mr. McMILLAN. The hon. gentleman has not alluded to another class of frauds that have been largely practised in the West—that is, the lightning rod frauds. A case came under my observation where a lightning rod agent came into a settlement and went to a farmer, and asked the privilege of putting lightning rods on his buildings without costing him anything, as the agent only wished to put up the rods for an advertisement. The farmer was simple and uneducated, and the agent got him to sign what he supposed was a paper allowing him to put a lightning rod on his barn without being guilty of trespass. But after the man had left the farmer's suspicions were aroused, and it turned out that he had signed an order for a lot of lightning rods, and given his note for them, and it almost ruined the man when he had to pay the note. I think this Bill is necessary in the interest of the agricultural community, and I hope the Minister of Justice will not throw any impediment in the way of its becoming law. It may be impossible to include in this Bill all classes of frauds practised upon farmers; but if a Bill was once passed and it was found to be ineffective, it could be amended so as to cover other classes of frauds.

Mr. CORBY. I agree with the hon. member for East Hastings (Mr. Burdett) that it is very important that this Bill should pass this session. The County of Hastings has been overrun for years with hay-fork agents, hulless oats agents, and seed-wheat men, and I hope the Government will take up this Bill and pass it this session.

Mr. BARRON. The House will probably remember that in the first and second session of the last Parliament this matter was brought up by way of resolution, and a committee was appointed, who went on and took evidence throughout the first session, and also, I think, during the next session. That evidence was printed in book form and distributed, and was very useful indeed. I think there was a consensus of opinion in that committee that it would be very difficult indeed to legislate so as to meet the variety of cases which came before the committee. There is no doubt whatever that a large portion of the community, throughout Ontario especially, are demanding legislation of the kind proposed by the hon. member for Hastings. It seems to me, however, that the criminal law, such as we have to-day, will reach nearly every case that has occurred.

Some hon. MEMBERS. No.  
Mr. McMULLEN.

Mr. BARRON. Well, some hon. gentlemen say "no," but I think that if they will put the criminal law in force they will find that it will reach the majority of cases, at all events. That has been my experience, because I have had something to do in prosecuting men who have carried on these vicious practices. There is, however, this much to be gained by this legislation, that it aims at these practices which have been carried on, and it may frighten people who have been in the habit of carrying them on and prevent them from doing so in the future. However, if it is possible I hope that some such legislation as is proposed may be brought about, and perhaps my suggestion that the work of the committee during the first and second session of the last Parliament might be utilized will be adopted by the Minister of Justice. He might examine that evidence and take in the variety of cases that came before the committee, with a view of framing legislation that would cover them all.

Mr. MASSON. I quite agree with the principle of this Bill, and think it is very necessary that these frauds should be met in detail by special legislation. Many years ago we had a very extensive clause put in our Criminal Act, known as the omnibus clause, which was supposed to embrace all these kinds of frauds. The gentleman who has just spoken says that in many cases these frauds can be reached by that law, but my experience, not in prosecuting, but in defending, is that it is very hard to secure a conviction. In fact, grand juries throw out the bill. When the Crown closes the case judges dismiss the accused; when petit juries consider them they find them not guilty. These fraudulently-disposed persons display great ingenuity, and with a full knowledge of the statute as it stands to-day, they try in some way to evade the strict language of the statute. Even when this Act provides a penalty for selling these articles at a fictitious price or at a double price, they will evade it in some way by selling a little less than double price, and in that way, being at the same time assisted by grand juries and by petit juries, they will succeed in evading the penalties which they should incur. I am in favour of the principle of the Bill, and I think many of the points that have been spoken of should be embraced in it—not that I believe the placing of such an Act on the Statute-books would frighten or alarm those fraudulent persons and prevent them attempting to carry out their nefarious practices, but it would enable us, when they do so, to secure convictions.

Mr. DAVIES (P.E.I.) If the state of our society is that indicated, I fear very much that the passage of this Bill will not give any relief. If grand juries fail to find bills against such parties, if petit juries refuse to find them guilty, and that under the direct cognizance and with the consent of the judge, no Act that can be passed will relieve the evil. I am quite sure nearly every hon. gentleman is in favour of the object of the present Bill. Personally, I agree with the hon. member for Victoria (Mr. Barron) in the opinion, and I think it is one worthy of consideration, that the law as it stands enables you to reach any person who commits a fraud such as is contemplated by this Bill. The difficulty I have always found is, that the person committing the fraud leaves the country, and the note or other security signed by the farmer is left in the