

low level our friends opposite feel justified in putting the Americans. I regret that not very long ago the present Government did that by putting a duty on the peach baskets in which all the peaches were imported into this country. I protested against that; I protest against another attempt to trail our honor in the dust and put us on a lower plane of international honor than any other Government has succeeded in doing. As I read this Bill, I look upon it as a means by which we shall get escape from the contract we made last year with the United States to put upon our free list trees, shrubs and other such articles. We do so in letter; but if this Bill becomes law we will do the contrary in spirit. We will be proceeding in the way the Government desired us to go last year when they refused at first to put these articles on the free list, despite our statutory offer. This is the principal reason why I object to the Bill. I object also on the general principle that we are going to cause an increase in the price of the article to the agriculturist without protecting, in the slightest degree, our nurserymen.

Mr. SPROULE. I do not know whether the Bill will have the effect attributed to it or not, but it is very clear that it is our duty, as far as we can by legislation, to remove it. I know that in the section of country where I come from, it is a very common thing to find, when our farmers take their fruits to the agricultural shows and label them according to the names given when the trees were sold, that disputes constantly arise, and they are obliged to send the fruits to experts for the purpose of getting them re-named, and it turns out in nearly every instance that the fruit trees sold to them were not properly named, or were not sold according to name at all. Instead of getting, as they supposed they were getting, first-class trees of certain varieties, they found that they were supplied with inferior trees of other varieties. The same thing is true with regard to grape vines. I remember distinctly some few years ago a gentleman, who sold grape vines through my section of the country, and who said he was prepared to sell a large number of varieties, and who sold them at the rate of 50 cents each, representing them to be very superior quality, told some of his friends before leaving that he supplied those orders out of vines which he purchased at half a cent apiece, and that all the different varieties came out of the same lot. When we know that such frauds are perpetrated on the agriculturists, it is time we should put an end to them. We find also that the trees sold in our country are not true to name. They almost invariably turn out to be something different from what they were represented to be at the time they were sold. In my own garden I do not think in a single instance, the trees I bought turned out true to their name, and when I showed the fruit, I was told generally that they were not properly named, and on sending them to the exhibition they received there names entirely different. It is time a Bill of this kind should pass. The contention of hon. gentlemen that we ought not to attempt to legislate to protect our people for fear of incurring the displeasure of our neighbors seems to be a childish matter. We are here to look after our own people, we have the machinery to legislate, and we are here to protect the interests of our people, and to punish crime and fraud wherever we find it. If we have no rights in Canada, but are always to depend upon foreigners in the conduct of our affairs, the sooner we know it the better. It is apparently the cue of hon. gentlemen opposite whenever a measure is introduced to protect our own people to cry it down. They would make out that we have no national rights, that our Parliament has no authority, and that we ought not to do anything which a self-protecting people considers itself empowered to do. I think we ought to be ashamed of ourselves as a Canadian Parliament if we acknowledged that we were standing in such a position to-day, and, whether it is in this line or in another line

Mr. FISHER.

when people are prepared to prey on our farmers or our merchants or any other class of our people, we should be always ready to protect their rights, as far as Canadian Parliament can do it, irrespective of what other people may say or do about it.

Mr. MILLS (Bothwell). I think the hon. gentleman who proposes this Bill and the gentlemen who support this Bill have not given us any sufficient reason for passing it. The Prime Minister has said that four States of the Union have adopted something similar to this Bill. I do not see how that is possible when the Constitution of the United States provides that matters of trade and commerce are vested in the United States. The first clause of this Bill says that:

"No person, and no agent of any corporation or association, shall sell or offer for sale any tree, &c."

That is not a prohibition against fraud, but against trade. It applies not only to a man who offers bad or spurious stock on the market, but to the very best that can be produced, precisely such as the farmer may order, as much as to a man who supplies stock which is different from that which has been ordered. How does the hon. gentleman propose to protect the farmers against what he calls fraud? Take the Northern Spy apple tree. That will be planted out eight or ten years before it will bear. The purchaser and the vendor may both be in their graves before that. How does the hon. gentleman propose to prevent fraud in that case? The most of those who are engaged in fruit growing will know the tree by its appearance. In nine cases out of ten, the farmer knows the tree when he sees it, and, if he does not, this legislation cannot afford him the least protection. The farmer knows, for instance, that the Rhode Island Greening grows almost horizontally, and not in the same way as the Spy, or the Baldwin, or several other varieties. If he cannot detect the variety by its appearance I do not see how he is to be protected by this Bill. It is not like a manufactured article in regard to which, within 24 hours, you can tell whether you have been defrauded or not, by calling in an expert to examine it. In the case of trees you have to wait until they bear. The fact is, that this is a measure designed to prevent the free importation of American fruit trees into this country, and it would be better to put a duty on them if the hon. gentleman wants to place an impediment in the way of that reciprocal trade which was adopted last year. Certainly the hon. gentleman does not expect to get this Bill through the House this Session. If the leader of the Government wants to get through the business before Easter it is useless to have measures of this sort brought forward at this period of the Session. If measures of this kind are withdrawn on both sides, and if the Government withdraw measures which they do not think it absolutely necessary to pass, I think they will be able to get through in the time, but if this sort of thing is to go on that idea must be abandoned.

Sir JOHN A. MACDONALD. My hon. friend says he does not understand how any State in the United States could pass a Bill like this. If he will take the Bill introduced by my hon. friend from Monck (Mr. Boyle), and will follow it word by word, I will read him the Act of the State of Minnesota, right across the line, which prevents any Canadian tree grower from going into that State at all:

"An Act to prevent the practice of fraud by tree peddlers and commission men in the sale of nursery stock:

"Be it enacted by the State of Minnesota:

"It shall be unlawful for any person, corporation or association to sell or offer for sale any tree, plant, shrub or vine not grown in the State of Minnesota, without first filing with the Secretary of State an affidavit setting forth his name, age, occupation and residence; and, if an agent, the name, occupation and residence of his principal, and a statement as to where the nursery stock aforesaid to be sold is grown, together with a bond to the State of Minnesota in the penal sum of \$4,000, conditioned to save harmless any citizen of this State who shall be defrauded by any false or fraudulent misrepresentations as to the