

the manufacture and sale of opium, and we can discuss the matter then. In the meantime, we should be careful, in passing this Bill, how we sanction any mixtures that contain the drug.

The amendment was agreed to, and the clause as amended was adopted.

On clause 9,

9. No person, firm or corporation shall distribute or cause or permit to be distributed from door to door, or upon a public place or highway, any sample of a proprietary or patent medicine.

Hon. Mr. LOUGHEED—More samples are sent by mail than by distributing them at the doorways, and the clause should be extended to samples sent by mail.

Hon. Mr. SCOTT—I accept the suggestion.

Hon. Mr. BEIQUE—That would prohibit the wholesale dealer sending samples by mail to retail druggists. That is going too far.

Hon. Mr. SCOTT—We can qualify it by saying except from the manufacturer or wholesaler to the trade.

Hon. Mr. SULLIVAN—I do not see why they cannot distribute to other people as well as the trade. It is making it a crime to distribute what the minister has endorsed.

The clause was amended and adopted.  
On clause 14,

Hon. Mr. McMULLEN—Some provisions should be made for the protection of country merchants—who hold stocks of medicines that they bought in good faith. I would suggest that we should add the words, 'and that the medicines so sold or offered for sale were in his possession at the time of the passage of this Act.' I do not think it would be right to hold a country merchant for all the costs that might be incurred in case of a prosecution.

Hon. Mr. SCOTT—The Act is not to come in force except by proclamation, and all parties will have plenty of time.

Hon. Mr. McMULLEN—It would take a country merchant a year or more to sell his stock. It would be well to strike out that portion of the clause which says he shall be liable for the costs incurred. As it stands, even though the party bringing the prosecution is not successful, he is responsible for the costs if he has patent medicines in stock contrary to law. He bought the medicines in good faith before the passage of this Act and it is unfair to virtually confiscate his property.

Hon. Mr. SCOTT—We give him three months to get rid of his stock.

Hon. Mr. McMULLEN—That is not time enough. Even twelve months would be short enough; he would have a large percentage still on hand. If he can show that he bought the medicines before the passage of this Act that should be enough. In the next place, if he gives the name of the wholesale merchant from whom he bought the medicine, and gives satisfactory evidence that he is an innocent holder, he should not be liable to prosecution.

Hon. Mr. SCOTT—It does not make him liable.

Hon. Mr. McMULLEN—It says he shall pay the costs. It would be a matter of considerable importance. Every business man has an enemy and that enemy might haul him up for keeping Perry Davis' Pain Killer if he does not conform to this Act. If it is proved he has it on his shelves, he will have to pay costs. I move that the clause be struck out.

Hon. Mr. BEIQUE—I agree with the hon. gentleman from Wellington, that if the dealer is able to prove that he had in stock the proprietary medicine at the time this Act was passed, that it should be a good defence. We know perfectly well that in the country stores it may take years to sell what they have in stock, and it would be practically confiscating what they had. We cannot change a trade of that kind on the spur of the moment, but must do it in a gradual way.

Hon. Mr. McMULLEN—I move that we strike out the words in the 27th line after 'as the case may be,' and add the following: