

that complaints are from time to time coming in to the department, and I have no doubt of that, but am sure, when the department investigates the basis of the complaints, it will find that in the majority of cases they are without foundation and fact, and that the actual cases of short weights and offences of that kind are infinitesimal. No business man could continue long in business if he habitually delivered short weights and measures. According to this legislation one would think that the mercantile people of this country were a crowd of thugs, robbers and criminals, and that a wall had to be built round the public for their protection, as if the public were not capable of protecting themselves. From my

experience, I have no hesitation  
5 p.m. in saying that should customers be given short weights or measures they very quickly go back to the store and demand their pound of flesh, and I do not think the minister is well advised in acting the part of Shylock in asking that this section pass. It may be not only the pound of flesh, but some of the heart's blood along with it, and it was the latter to which Portia objected so well. I move:—

That section 61A be amended by inserting the word "knowingly" after the word "who" in the first line.

The principle underlying this amendment is admitted by the minister; it covers the point of carelessness, which is all that this Committee should be concerned in. If a man deliberately, habitually, commits this offence, then he should be penalized, but as the section now reads, if the action is only casual, occurring once in a while, he is liable to a penalty.

Mr. A. K. MACLEAN: We have discussed that principle pretty thoroughly, and I hope my hon. friend does not want to press the amendment. The sense of the Committee is, I think, that the section would be absolutely of no use if the word "knowingly" were inserted.

Mr. JACOBS: If, as the hon. member suggests, we insert the word "knowingly," we come into conflict with section 405 of the Criminal Code, which states that if any person knowingly commits this offence, he is liable to three years' imprisonment, so that we shall have the curious situation that, while one section of the law says that if a man knowingly commits this offence, he is liable to three years' imprisonment, another section says that he is liable only to a fine of \$25. That reduces the matter to an absurdity.

Mr. PEDLOW: This does not conflict with the section quoted by the hon. member, but is in entire harmony with it. The word "knowingly" was used in the Criminal Code, showing that the framers of it were wise in their day and generation, and we would not be well advised in departing from the phraseology of that section.

Mr. A. K. MACLEAN: Let us give the Bill a fair chance.

Amendment (Mr. Pedlow) negatived.

Section, as amended by Mr. Jacobs, agreed to.

On section 8—penalty for using counterfeit weights, etc.

Mr. McCOIG: In case of a conviction, will the officer laying the complaint be entitled to any portion of the fine or any fee?

Mr. A. K. MACLEAN: No.

Section agreed to.

On the preamble.

Mr. McKENZIE: On a former occasion I asked the minister about the testing of meters for measuring electric currents. In out part of the country, complaint is made that those meters are not properly inspected. The minister could not, at that time, tell me under which department the matter came. If it comes under this department, I should like to know if proper steps are being taken for the inspection of electric meters.

Mr. A. K. MACLEAN: I remember my hon. friend putting that question to me, I think, on the first reading of the Bill. The officer of the department who is now with me is not in the electrical branch, but I shall make a point, to-morrow, before the Orders of the Day are called, to give my hon. friend an answer, and I must apologize to him for having overlooked the matter.

Preamble agreed to.

Bill reported.

#### CRIMINAL CODE AMENDMENT. SEXUAL OFFENCES.

On motion of Hon. Arthur Meighen (Acting Minister of Justice) Bill No. 78, to amend the Criminal Code (sexual offences), was read the second time, and the House went into Committee thereon, Mr. Boivin in the Chair.

On section 2—seducing female employees:

Mr. PROULX: I presume that sections 1 and 2 are the sections we passed last year, but which were objected to by the Senate?