

publish those at present. Of course, when a prosecution takes place, it is usually reported in the newspapers, and the names of the parties appear there. I have not yet thought out whether it would be best to put the names into the annual report of the department or not.

Mr. ROBINSON (Elgin). I think it would.

The MINISTER OF AGRICULTURE. It might be best to do so. I may say that this Act is chiefly deterrent in its character. Its object is not so much to punish as to prevent this kind of thing going on—to try to secure honest and proper packing, and the supply to our people of just what they buy. If it should be necessary to hold the whip of publicity over the people who are thus packing, we may have to do it, but I am in hopes that the means adopted already will be sufficient, and rapidly improve the trade.

Mr. ROBINSON (Elgin). Has the hon. minister made arrangements with the ship-owners to see that the perishable products are protected or properly shipped?

The MINISTER OF AGRICULTURE. I am working that with the ship-owners as much as possible.

Mr. ROBINSON (Elgin). Is the minister aware that there is an incongruity between the Ontario and the Dominion statutes with regard to the punishment of delinquents in the dairy business?

The MINISTER OF AGRICULTURE. I have not any knowledge of it at the moment. Will the hon. gentleman state to what particular discrepancy he refers?

Mr. ROBINSON (Elgin). Under the Ontario Act respecting butter and cheese no one can be found guilty of an offence unless it can be shown that he committed it knowingly or wilfully, but under the Dominion Act such knowledge is not made an element of the crime, but on the contrary the lack of such knowledge is no defence. That appears to me very unjust. Perhaps I had better read the statutes for the information of the hon. gentleman. Here is the Ontario statute—chapter 251 of the Revised Statutes of Ontario page 3,091:—

6. No person shall sell, supply, bring or send to a cheese or butter manufactory, or the owner or manager thereof, to be manufactured, milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as 'skimmed milk,' without distinctly notifying, in writing, the owner or manager of such cheese or butter manufactory, that the milk so sold, supplied or brought to be manufactured has been so diluted with water, or adulterated, or had the cream so taken from it, or become milk commonly known as 'skimmed milk,' as the case may be. 51 v.c. 32 s.1; 55 v.c. 53 s. 1 (1).

7. No person who in the course of his business agrees to sell, supply, bring or send to any cheese or butter manufactory, or the owner or manager thereof, to be manufactured, the milk of any cow or cows, shall, in the course of such dealing and business, keep back any part of the milk of such cow or cows, without distinctly notifying, in writing, the owner or manager of such cheese or butter manufactory what portion of the milk he has so kept back.

8. No person shall sell, supply, bring or send to a cheese or butter manufactory, or the owner or manager thereof, to be manufactured, any milk that is tainted or partly sour without distinctly notifying, in writing, the owner or manager of such cheese or butter manufactory of or such milk being tainted or partly sour.

The said sections 6, 7 and 8, shall not apply where the person charged with the offence proves to the satisfaction of justice or just ces of the peace that the commission of the alleged offence was without his knowledge or privity, and contrary to his wish and intention, and that he was not aware thereof.

Chapter 43 of the Dominion statutes 52 Victoria provides as follows:—

1. No person shall sell, supply or send to any cheese or butter or condensed milk manufactory, or to the owner or manager thereof, or to any maker of butter, cheese or condensed milk, to be manufactured, milk diluted with water, or in any way adulterated or milk from which any cream has been taken, or milk commonly known as skimmed milk.

2. No person who supplies, sends, sells or brings to any cheese or butter or condensed milk manufactory, or to the owner or manager thereof, or to the maker of cheese or butter or condensed milk, any milk to be manufactured into butter or cheese or condensed milk, shall keep back any portion of that part of the milk known as strippings.

7. For the purpose of establishing the guilt of any person charged with the violation of any of the provisions of sections one or two of this Act, it shall be sufficient prima facie evidence on which to found a conviction to show that such milk so sent, sold, supplied or brought to a manufactory as aforesaid, to be manufactured into butter or cheese or condensed milk, is substantially inferior in quality to pure milk, provided the test is made by means of a lactometer or cream gauge or some other proper and adequate test and is made by a competent person; provided always, that a conviction may be made or had on any other sufficient legal evidence.

In the one case a man who does not know that the milk was adulterated cannot be convicted, but in the other case it matters not whether he has any knowledge or not, he may be convicted. I think it is the duty of the minister to see that this matter is made straight so that we will have but one law.

The MINISTER OF AGRICULTURE. The only thing we can do is to change our law. The Ontario law requires knowledge on the part of the person who is charged with the offence. Does he wish to make our law the same?

Mr. ROBINSON (Elgin). I am not introducing a law but asking the minister if he is aware of the fact.