

and while it is all very well to say that people do not want to run to lawyers, my hon. friend would be one of the first to be running to a lawyer if he were to get into any difficulty. That is an old story. The man who decries the lawyer the most loudly is always the earliest at his office when he is in trouble. I see no reason why the suggestion made by the hon. member for Gloucester should not be followed, that is that the clause be further considered. The minister should consider the matter and have the clauses made comparatively uniform and drafted so as to mean what is intended.

Mr. WEIR (Melfort): I see no ground for allowing the clause to stand. I do not understand the hon. member's statement that it does not include what it is intended to include. As far as I understand it does.

Mr. ELLIOTT: I contend that it does not.

Mr. WEIR (Melfort): As there is no ground for letting the clause stand, I do not think it would be advisable to waste any more time by a further discussion on it or allowing it to stand for further consideration. It has been given very full study and covers the intent and purpose of the legislation.

Mr. ELLIOTT: I just want to object to the expression used by the minister with regard to wasting any more time. We are not wasting time; we are endeavouring to save time, and the minister will find that he will save time by not taking quite as arbitrary an attitude as he has done with regard to this clause. Let me tell him what I am willing to do. If the Minister of Justice or the Prime Minister, who are present and each of whom is a fairly good lawyer, will say that the clause means what the minister says he intended it to mean, then I shall not move the amendment which I had thought of moving.

Mr. MOTHERWELL: All these bills go through the Justice department.

Mr. ELLIOTT: Will the hon. member wait a moment until we hear from the Minister of Justice?

Mr. BENNETT: That is the way to do it.

Mr. GUTHRIE: Will the hon. member for West Middlesex tell me what his point is?

Mr. ELLIOTT: Clause 21, paragraph (e) reads:

"Package" means any box, paper wrapper, carton or any other receptacle or covering used for the packing of dairy produce.

As it stands, if there is nothing more, it means any other receptacle or covering of the kind before mentioned. That is the legal interpretation. What I say should be stated if it is intended to cover a receptacle or covering of a kind not before mentioned is:

different from a box, paper wrapper or carton and without restricting the generality of the foregoing, any receptacle or covering.

Mr. GUTHRIE: The language as I read it: "Package" means any box—

That does not imply paper at all.

—paper wrapper, carton or any other receptacle or covering used for the packing of dairy produce.

I think that is broad and general enough to include almost any material one could put in. Under the rule of sui generis, to which my hon. friend refers, "goods of the same general description or genus or class" is the term used in all judgments on the subject. There is the word "box" which I judge might be made of any material; then we find "paper wrapper or carton" which may be made of metal, paper or any other substance. Then follow the words:

Or any other receptacle or covering used for the packing of dairy produce.

Mr. VENIOT: Will the minister look at part I, at the definition of "package" in paragraph (o). Why leave out the words "tub, crock, tin, crate"? That is my objection to the bill.

Mr. GUTHRIE: That is a definition, and the word "package" does include:

Box, tub, crock, tin, crate, paper wrapper, carton or any other receptacle or covering used for the packing of any dairy product.

I do not think that interferes in any way with clause 21 that I have just been reading.

Mr. VENIOT: I want to know why those words are omitted from part II. Why not specify them in part II just as in part I?

Mr. WEIR (Melfort): That matter was explained some time ago.

Mr. VENIOT: Not to my satisfaction.

Mr. WEIR (Melfort): The description enumerates certain kinds of packages, and because all could not be foreseen the general statement "or any other receptacle" follows. There would be no difficulty if we added three, four or half a dozen specific containers or receptacles, but it is felt that the words "or any other receptacle" give a wider meaning.