

the advertisements in his pocket, but he was caught while doing so and brought before the court. Although the judge found it to be only a mild offence and no deliberate intent to steal from the department, he said, "I have no discretion but to sentence you to at least three years imprisonment." This is a very hard upon the families of these men, and I believe in considering such a measure hon. members should remember these facts and take them into consideration. So I ask the sponsor of this bill to amend it by striking out the words "not less than \$500" in subsection (a) and "not less than \$1,000" in subsection (b), and leave the question of fine or imprisonment to the discretion of the judge. My hon. friend may rest assured that the judges of this country will impose upon guilty parties a sentence which will provide a proper punishment.

Mr. PICKEL: Mr. Chairman, this act is not directed against the farmer. At the present time the farmer is having a pretty hard time to make ends meet. It is directed against the big firms in the city who adulterate butter by adding forty per cent to fifty per cent of cocoanut oil, which costs them from seven to eight cents a pound. The farmer wants to get rid of that competition. If the adulterator wants to evade that heavy penalty, he can do so by ceasing to adulterate the butter. That is all there is to it.

Mr. RINFRET: Mr. Chairman, it seems quite evident from what we have heard from different sources that there is some contention with regard to this bill, and I was quite impressed to hear several hon. members representing rural sections of the country speak against it. I think there is some force in the argument that at least the bill is not opportune at the present time. When a product is sold at a very high price adulteration is to be feared, and perhaps then it would be worth while to prevent it, but at the low price which is now obtained for butter I believe this bill is superfluous. If the price of butter continues to go down, as has been the case lately, soon there will be no ingredient cheap enough to mix with butter with any desirable profit. I do not say that in a jocular way; I do believe the time of the house would be better employed just now in trying to find some means of raising the price of butter rather than preventing an adulteration which is becoming less and less advantageous to any one practising it. I find no fault with the hon. member for Compton, however; he promised to do something about butter, and

not being able to raise the price he has decided to deal with it in this manner.

Concerning the bill itself, I think there is much in the argument that some discretion should be left to whomever passes judgment in cases of this kind. I have had some experience in Montreal with certain butter dealers; in many cases perhaps I have been too tender-hearted in listening to their representations, but they convinced me that they had acted in fairly good faith, yet had contravened the very rigid regulations which quite properly govern the sale of butter. I think it has been the experience both in this parliament and in provincial legislatures that every piece of legislation which does not allow the judge a certain degree of discretion is bad. When you have a minimum of \$500, even though the judge thinks the man is acting in fairly good faith, or if the man has not done much wrong after all; if the judge has either to impose a fine of \$500 or release the man altogether, probably he will release him, so in certain cases I think my hon. friend will be working against his own desires.

My only experience with butter has been to eat a great deal of it during the course of my life, but it strikes me that the sections dealt with by this bill, that is to say sections 5 and 7 for which the penalties are provided, are rather extensive. Infractions should not be punished equally, since they are not equally harmful to the public. If my hon. friend wants to raise the amount of the fine, I think he will have to bring down a much more extensive bill than the one before us now. If I were a judge and it were left to me to impose a fine, certainly I would impose on a man who dipped butter in water or who put a little water into his butter a lesser fine than I would impose upon a man who mixed butter with margarine or some other foreign substance. If the fine is not too heavy it may be all very well to apply it to every adulteration, but if the fine is to be increased to \$500 for the first offence and \$1,000 or \$2,000 for the second offence, certainly my hon. friend should differentiate between offences of various kinds.

So I think this bill is altogether wrong in many ways. It does not come at an opportune time, and I do not believe it would bring much relief to the farmer to learn that if his 18 cent or 20 cent butter is adulterated the person selling it may be fined \$500. If my hon. friend could find some way to have butter sold at a higher price he would be doing something which would really help the farmers. My hon. friend may say that I am speaking from the political point of view, but