

onus of proof on the person in charge of the business, whose subordinate may have sold the goods. The onus of proof is thrown on the principal to show that he was not personally responsible or guilty. This is the form adopted in several other Acts.

Section agreed to.

The MINISTER OF AGRICULTURE. I wish to move that the following subsection be added :—

Any person who sells seed by wholesale in sealed packages, sacks or bags, to a retail vendor, shall not be liable for such seeds after the seal has been broken, unless such seal has been broken and a sample for official test is taken and inclosed in the sealed package in the presence of two non-interested witnesses.

That is for the purpose of protecting the wholesale dealer.

Amendment agreed to, and section as amended, agreed to.

On section 9,

Mr. MORIN. I would like to ask the hon. minister what a man has to do when the seeds are on railway premises? Suppose the seeds are in a locked car, will the officer have a right to break the lock open?

The MINISTER OF AGRICULTURE. He would have to appeal to the officer of the railway company, I imagine, to open the car, and if the officer refused, he would have authority under this to break open the car.

Mr. ROSS (Ontario). I suppose the officer of the department would carry his authority with him and be able to show it to anybody who required it?

Mr. HENDERSON. Who is going to see to the enforcement of this law? Is the government going to appoint officers all over the country?

The MINISTER OF AGRICULTURE. There is no such intention.

Mr. HENDERSON. It says 'Any person charged with the enforcement of this Act.' There must be some person charged. Who will it be?

The MINISTER OF AGRICULTURE: The present intention is that any officer of the department as at present constituted who may wish to take samples, or who may have reason to suspect that adulterated or impure seeds are being sold, will have authority to take samples.

Mr. HENDERSON. Does the hon. minister mean the department here in Ottawa?

The MINISTER OF AGRICULTURE. Yes.

Mr. HENDERSON. Suppose a carload of seed in Vancouver that is suspected to be impure, and of which samples have to be taken, is an officer to be sent to Vancouver?

Hon. Mr. FISHER.

The MINISTER OF AGRICULTURE. I hardly think so.

Mr. HENDERSON. That is a sample of the whole Bill—unworkable.

The MINISTER OF AGRICULTURE. Not at all.

On section 10—samples to be sent to official seed analyst.

Mr. SPROULE. Is it proposed to appoint a special seed analyst?

The MINISTER OF AGRICULTURE. I have already an officer in the seed laboratory. This is a part of the work.

Mr. HENDERSON. If we are going to have the thorough investigation we expect, thousands and tens of thousands of samples will be coming from all over the country. The analyst, in that case, is not going to be able to do all the work.

The MINISTER OF AGRICULTURE. If samples come in in great numbers, we must increase the staff of the laboratory. But that will show how necessary and justifiable is the law.

Mr. MONET. Would it not be better to say plainly in the law to what inspector the seed shall be sent?

The MINISTER OF AGRICULTURE. They will be sent to the seed analyst.

Mr. MONET. Is he appointed?

The MINISTER OF AGRICULTURE. He is an officer of my department who is doing the work. But he would have to be appointed seed analyst by Order in Council. It says: 'Such person as the Governor in Council appoints as an official seed analyst.'

On section 11—sample to be taken in presence of sellers or two witnesses, certificate to accompany sample.

Mr. SPROULE. How will these samples be sent in, by post?

The MINISTER OF AGRICULTURE. Yes.

Mr. SPROULE. Free?

The MINISTER OF AGRICULTURE. Yes. The official seed analyst will be an officer of the department, and these would come to the department free under the Postal Act.

On section 12—samples to be sent within seven days.

Mr. SPROULE. Suppose samples are not sent within the proper time, would that relieve the person selling the seed from any liability under the Act or prosecution for damages?

The MINISTER OF AGRICULTURE. I do not think it would free him from an action for damages, but it would free him