

of the flour barrel, which can be always purchased cheaper after it has been used, would be a very important consideration. To take any size that would not conform to that would probably create a loss, as a flour barrel is very easily obtainable by the smaller producer or packer of fruit, and it is desirable that they should be able to utilise it. I think a smaller package, provided it is not smaller than any ordinary flour barrel, would be the best to ship fruit in. I quite agree with what my hon. friend from Huron seemed to indicate, but I do not think it would be desirable to get below a flour barrel. A uniform size is found necessary, as some of these barrels have contained two and a half bushels, some three, and some three and a quarter bushels, and in many cases it was unfair, as a market price was to be attached to a barrel, whereas the difference in the contents might be very material. I have had letters on this subject within the last three years. I have not found it necessary to bring it before the House, but I find that pressure has been brought to bear on the Minister himself, and I merely desire to sustain the view that there is a necessity for uniform legislation.

Mr. BLAKE. The hon. gentleman has not explained under which limb of this resolution he proposes to deal with the question of coal.

Mr. COSTIGAN. If the hon. gentleman objects, I shall not be able to avoid his objection, because it does not seem to be mentioned in the resolution.

Mr. BLAKE. What is the change about the cans?

Mr. COSTIGAN. The second sub-section of section 26, passed last Session, is as follows:—

"2. Every hermetically sealed package of canned goods, such as vegetables, fish and the like, shall have the weight of the contents of the tin, can or package containing the same, legibly marked on it; and any packer or other person found guilty of selling or exposing for sale such goods in any such tin, can or package, on which the weight of the contents is not so marked, or on which such weight is misrepresented, shall, for the first offence, incur a penalty of two dollars for each such tin, can or package, and for each subsequent offence a penalty of not less than three nor more than twenty dollars for each such tin, can or package."

At the time of the passing of this Act strong objections were taken to this section by the packers on the ground that they could not put the exact quantity in the packages that this measure required. It was represented, also, that they had large stocks on hand, and that large quantities of tins had been ordered for packing purposes, and that to enforce the law would inflict a heavy loss on these parties. The hon. gentleman states that my Department has suspended the operation of the Act. Well, my Department has no power to suspend the operation of the Act; and to-day, under that Act, every person in the trade is just as much liable as under any other Act of Parliament. The hon. gentleman may be correct if he supposes that under all the circumstances our officers did not enforce that Act with the same strictness that they would if the circumstances had been other than I have mentioned. Now the change at present does not give up the principle involved in the first section. I still hold to the propriety of securing for the consumer the quantity that he purchases. We go further in this Act and provide at the same time, not only for the marking of the packages, but also that it shall contain the name of the packer, and further that it shall show the year in which such goods are packed. That provision, I think, is in the interest of the consumer, so that he may know whether the article he is buying is fresh or not. Another reason that I think the House will admit is with reference to the poison in the cans. We see references made in the newspapers to accidents of poisoning occurring from the use of canned goods, and we find it is a general belief that these poisons accumulate by some means in the older classes of goods, and that the poison is more likely to be found in stocks that have been held

Mr. HESSON.

over for a number of years. It is believed that in all cases where poison has been found in these goods the cans had been packed for several years, while there is no danger to be apprehended from fresh packed goods. Therefore we think it is in the interest of the public, when they buy an article they shall know, at least, in what year it was packed, because if the can is hermetically sealed they cannot otherwise ascertain whether the contents are fresh or old. Among the packers of fruit one of the strong arguments used is that in different seasons the fruit differs in density or weight, and that a can manufactured to hold two pounds of prepared tomatoes, for instance, this year, might not contain the same weight next year on account of the different density of the fruit. While there may be something in that, I confess that I am not able to decide the point, but in order that no injustice may be done to the packers, or to any one else who may be affected by this Bill, I propose to take powers under the Bill by Order in Council that where any class of these goods is known to be liable to variation, a percentage may be allowed as a margin to meet the variation to which packers claim that certain fruits are liable. It is proposed, also, to exempt from the operation of the section to which I am alluding, all such goods as may be imported from foreign countries into Canada, and such as are not prepared and put up here. It is also proposed to exempt from the operation of the Act goods that are put up in this country for exportation. My opinion last Session was that the exemption was not necessary; I believed then that if this principle were adopted the packers exporting such goods would find that it would establish their character in foreign markets, and would give the goods increased value. But, on the other hand, I have been informed by packers that it would prove a great inconvenience to them, especially in the English markets, where the present law does not insist upon any weights being marked upon the can, but imposes a penalty if the weight is marked upon a can, and the contents are not in accordance with the weight so marked. They claim that if they were to export their goods marked, as I say, to contain two, three or four pounds, in small packages, and in case any of these cans fell short in the actual weight, they would be liable to a penalty under the English Act. Then I thought, perhaps, it would be as well to yield that point for the goods which are to be packed for exportation. I think that is all the explanations I have to offer at present on that section of the Bill.

Mr. BLAKE. Then I understand the operations of the measure are, first of all, that the hon. gentleman demands some further marks upon the can; secondly, he omits from the operations of the law, goods imported into the country of a character which we do not put up ourselves, and goods exported; and thirdly, he takes a general power to permit some variations in classes of goods which are found not to be certain in their natural weight from one year to the other. Of course, as to goods for exportation, it was pointed out last year when the measure was under discussion, that having found himself in a position in which he was obliged to dispense—not in form—of course he could not, nor could the whole Government dispense with an Act of Parliament—but practically to dispense with it by telling his officers not to carry out the law with the same strictness as they carry out other laws, or telling them not to do anything. I think the hon. gentleman had better pass a law which will deal with these questions effectually. The law at present is one which is subject to variations from year to year by Order in Council. So there is no stability in the law as to certain classes. I think it would have been better if enquiry had taken place, and the hon. gentleman had been able to say that such and such are the limits of variation in the different classes of goods. The hon. gentleman has pointed out that the marking will indicate the year in which