

extra pound of sugar or the fact that he was given thirteen instead of a dozen lemons or bananas. A man may come to a store and buy certain commodities, take them home, remove a portion of them and then call in an officer and complain that the weight or measure was short. Retail merchants have troubles enough to burden them; yet by this law you are putting them in the very clutches of dishonest people. I am also a lumberman. If I send a thousand feet of lumber out ten miles, it should be measured at the wagon; the customer should not report to me two weeks later that he did not get a thousand feet of lumber. We might as well close up business if such a law as this is on the statute-book.

Mr. PEDLOW: The measurement or weight of the merchandise should be checked at the counter by the customer, before he leaves the store. In the banks you are asked to count your change before you leave the counter; otherwise no claim will be recognized. Under the circumstances, I move the following amendment.

The CHAIRMAN: Order. There is already an amendment before the Committee which will have to be disposed of before the hon. member may introduce another.

Mr. A. K. MACLEAN: With reference to what my hon. friend (Mr. Baldwin) has said, the fact would have to be determined as any other fact is determined. It would be very difficult to secure a conviction for selling short weight if the purchaser took the articles to his home and kept them there for some time.

Mr. BALDWIN: Fifteen minutes would be enough—or two minutes.

Mr. A. K. MACLEAN: Or two seconds, for that matter; it would be very difficult to secure a conviction in that case. There need be no apprehension, therefore, about anybody being injured by this law other than the person who has clearly laid himself open for prosecution.

Mr. McKENZIE: The section of the Code referred to in the amendment of my hon. friend (Mr. Jacobs) reads:

Every one is guilty of an indictable offence and liable to three years' imprisonment who, with intent to defraud by any false pretence, etc.

There the intent is mentioned, as it is in every section of the Criminal Code dealing with such matters. Are we going to depart from that and give to officers of the class described a moment ago an oppor-

[Mr. Baldwin.]

tunity of making money by going round the country, getting a fee from a man for seeing that his yardstick is the proper length and that his scales are in proper order, and then discovering something against him and imposing a fine on him whether he is guilty or not? That is going entirely too far. The minister has taken into his head the notion that it is proper to make criminal laws for all matters of this kind, and if in any of the ordinary transactions of life, a man is to be held criminally liable, if he happens to make a slip, that is breaking every principle I have ever known of in this country.

Mr. A. K. MACLEAN: We wish, really and practically, to modify the criminal law which now states that if a man wilfully sells short weight goods, he is liable to imprisonment. The officials of the department state that in practice they cannot secure a conviction, and they want some legislation enabling them to punish men by the imposition of a fine for failure to furnish that which a man has paid for.

Mr. McKENZIE: If the minister will furnish to this committee any tangible proof of protest coming from the people of any city or town in Canada that they are being defrauded by their grocers, I would certainly seriously consider the matter; but if this is only because the officers who travel around the country in search of convictions, find it difficult to make them, I have no sympathy with the Bill. If any men or women in Canada who go to buy tea, pork, fish or anything else to be found in a grocery store, complain of short weight, I am very sympathetic and will respond very quickly to any remedy, but I am not satisfied that there is any such complaint, and I have heard none.

Mr. A. K. MACLEAN: There are every year complaints by the hundreds to the department that goods are sold short in weight. On the other hand, the officers of the department believe that short weight deliveries are due, in most cases, not to fraud and deliberate intent, but to carelessness, and they want to prevent this carelessness, and if possible, by this legislation, to compel dealers to give purchasers that which they bought and which they paid for. I hope this law will assist in making men more careful about the deliveries they make.

Amendment (Mr. Jacobs) agreed to.

Mr. PEDLOW: I am still sorry that the minister is obdurate, unconvinced. He says