

Inspection and Sale Act

make sure on that point, but I think the other items are all included in other legislation.

Mr. BENNETT: I think this deals with what one might call the agricultural side rather than the commercial side of commodities.

Mr. SENN: Are the weights which are prescribed there those that are usual in the trade? Is there any variation, so far as these different commodities go, from the accepted weights in the trade?

Mr. GARDINER: I do not think there is any variation; I believe these are the usual weights. From just going over this list my impression would be that practically all the commodities listed here are those commonly sold to farmers in the way of seed.

Mr. SENN: Probably the commodities to which the hon. member for Yale was referring come under the fruit branch and the acts which relate to it.

Mr. GARDINER: Vegetables and so on.

Mr. BENNETT: I am sure the minister has given consideration to the question whether it should be possible to make an arrangement for the sale of commodities by other than weight. The minister knows that complications have arisen, and sometimes litigation has ensued, where one man was talking about a bushel by measurement and the other man was talking about a bushel by weight. This statute provides that in the absence of an agreement for determining a bushel by measure, any reference to a bushel would mean a bushel by weight. It is a provision which I think is sound. I wonder whether we should not go further and provide that all goods should be sold by weight. There is another matter which I submit is worthy of consideration, because frequently I have known difficulty to arise through the contention being made that the so-called bushel measure was not an accurate measure of a bushel, whereas weight is a matter of exact determination and can be arrived at without difficulty. With me it is a question whether in these days the act should not be modified to provide that the standard for these purposes shall be a bushel by weight and not by measure.

Mr. GARDINER: Well, that section will stand, then.

Section stands.

Sections 19 to 21 inclusive agreed to.

Progress reported.

[Mr. Gardiner.]

FARMERS' CREDITORS ARRANGEMENT ACT

BOARDS OF REVIEW, TIME LIMIT FOR FILING PROPOSALS, ETC.

Hon. CHARLES A. DUNNING (Minister of Finance) moved the second reading of Bill No. 25, to amend the Farmers' Creditors Arrangement Act, 1934.

He said: I did not intend to make any extended remarks on the second reading inasmuch as the discussion was fairly full on the financial resolution preceding the introduction of the bill, and in view of the further fact that a discussion on the separate sections of the amending bill will be rather easier than any attempt to discuss the general principle.

Right Hon. R. B. BENNETT (Leader of the Opposition): I suggest to the minister the advisability of referring this bill to the committee on agriculture, or some other appropriate committee. I do so for this reason. The court in Manitoba has held, I believe, that the act does not apply to a corporation. I believe the departmental officials advised that it did apply to a corporation in which the farmer had incorporated his enterprise and called it a limited company. That view was acted upon in one case, but it went to the court of appeal in Manitoba.

There are a number of other points on which suggestions have been made. For instance, the chief justice of Alberta suggested that jurisdiction should be conferred upon the board of review to deal with a second hearing when there had been a drought and there had been no opportunity for the farmer to give effect within the time limit to the provisions of the compromise arrangement. It is pointed out by many who have suffered under the act that there has been a lack of consideration, on the part of some of the authorities, of the essential condition precedent upon which the act was based, namely, the insolvency of the farmer. The basis of this act is insolvency.

Mr. DUNNING: Quite.

Mr. BENNETT: It is not desirable that farmers should be dealt with as ordinary bankrupts are, because that would involve liquidation of the assets and division of them ratably among the creditors. The purpose was to maintain the principle of bankruptcy and let the farmer work out his own salvation in fear and trembling, paying his creditors, not from the forced liquidation of his assets, as provided by ordinary bankruptcy proceedings, but by making his property more profitable. But the condition precedent to every-