

culpable negligence, gross negligence, and phrases equally qualifying or general, are in use in our common law, in our railway law, in laws respecting civil rights. I say that in the perusal of our statute books you will find these words and kindred words used hundreds of times, and if we are to strike out the words "unduly" or "unreasonably" from this Act by reason of the court possibly finding it difficult or impossible to construe their meaning we should, to be consistent, strike out similar words in all our statutes. The contention of the promoters of the Bill avowedly is that the object for striking out these words is, that the court by their retention is prevented from construing the language of the statute, not that it is alleged that they nullify the statute or render it ineffectual—but that the court will be unable to ascertain what "unduly" and "unreasonably" mean. Under these considerations, I think the House should accept the report. I say that the committee were justified in coming to the conclusion that no evidence whatever was submitted to them calculated to show that these words rendered the Act inoperative in any way.

HON. MR. READ (Quinté)—It will be in the recollection of the House that on Monday this Bill was in committee and that on Thursday of the same week prorogation took place—I am speaking of last Session—so that there was no time in the other House for consideration of our amendments, and they were allowed to go. After having time to give it consideration since then the House of Commons have eliminated our amendment, and now ask this House to concur in their action. We have been told by the hon. gentleman from Quebec that there have been no complaints from his Province about this Bill. I think he must be mistaken; his friends could have informed him that hundreds of grocers have complained about it. I think that he will find it to be the case when he returns to his constituency, that there have been many such complaints.

HON. MR. THIBAUDEAU—Mr. Matthewson complained.

HON. MR. READ—We are told by another gentleman that if the 200 grocers in Montreal had contributed \$1 apiece that they could have tested this Bill. Does anybody believe that \$200 or \$2,000,

or \$10,000 will test it? These combines have means enough under their control to keep such a suit running, as we know lawsuits can be kept running, until many of us are in our graves. I think the fee of the hon. gentleman from Calgary, if he were asked to take such a case, would be \$500 at least, so that what he tells us about testing the law for \$200 goes for nothing. If these combines can, by combining, put dollars into their own pockets, they are likely to contest any such case to the bitter end. There is no doubt that when these words were put into the Act, they were put in under the best legal advice. We know where they emanated from. We know that the manufacturers had the opportunity to procure the best legal advice to have these words inserted so that the Act would do the least possible harm. The hon. gentleman from Kennebec told us that he was interested in discussing this question. Well, everyone is. They all wish them to succeed, because if they succeed, no doubt those that supply them will succeed. Then he told us it was his duty to see that they made a good profit.

HON. MR. DRUMMOND—I did not say that.

HON. MR. READ—That was the inference—that was really the result of what he said.

HON. MR. DRUMMOND—No.

HON. MR. READ—Then he told us that they threatened him if he did not do this, that they would not sell his goods, and I think they threatened more than that—that they would erect a refinery for themselves.

HON. MR. SMITH—I would have pitied them if they had done that.

HON. MR. DRUMMOND—They did not threaten me at all.

HON. MR. READ—It may not have been the hon. gentleman; it may have been some other refiner. That is what I heard at the time. What with these threats and the interests of his customers, and of himself as well, they formed this combination, and it is the opinion of the people that it is hurtful to their best interests. The House of Commons have thought so, and I have no doubt that they are speaking