

Criminal Code

the fact that the banking and commerce committee is now sitting, and as this is not a matter involving only legal considerations but one involving also questions of counterfeiting and the like, the sections in this amendment might be referred to the banking and commerce committee, discussed there and reported back.

We have completed our discussion of the rest of the code. This is new and comes before us just at the last moment. As the Minister of Finance is here, perhaps the two ministers might confer on my suggestion.

Mr. Abbott: I understand this bill is to go from this house to the other place. The section before us is one to which the Bank of Canada attaches some importance, particularly because, as the house knows, we are bringing out a new series of Bank of Canada notes in September. They will be rather different from the present Bank of Canada notes. I should not anticipate what they will be, but I have approved the designs.

Mr. Knowles: How much will they be worth?

Mr. Abbott: Oh, they will be, as they always have been, the strongest currency in the world. They will represent characteristic Canadian scenes. I think it is important that there should be a proper provision in the Criminal Code to prevent facsimile reproductions of currency, because a good many people are easily taken in by that sort of thing, and they are protected by the provision in the Criminal Code.

I would say there would be no objection to the suggestion that the proposed amendment should be looked at by the banking and commerce committee, and perhaps the deputy governor of the Bank of Canada might go there and elaborate upon the reasons he has given in the letter to my deputy minister. I do not suppose the house would want it to come back here. If the banking and commerce committee were satisfied with the explanation, it could be referred to the other place and dealt with there.

So far as I am concerned I would be happy to have the officers of the Bank of Canada report before the banking and commerce committee the reasons they feel proper provisions should be put in the Criminal Code now to prevent the facsimile reproduction of Bank of Canada notes.

Mr. Fulton: I wish to assure both ministers that there is no dispute either on my part
[Mr. Fulton.]

or that of the official opposition as to the necessity for some such provision. It is just that this is a quite complicated matter and we would like to know what the mechanics of the procedure would be.

Mr. Garson: May I suggest that it might be wise if my colleague were to withdraw his amendment. This text might be submitted to the committee on banking and commerce and discussed there. Then when the bill goes to the other place, as it will have to do, and be considered there clause by clause, it would be a simple matter indeed for the Senate to put in a Senate amendment. That would be passed in due course and come back to the House of Commons.

Mr. Fulton: In other words you suggest that we should approve of it.

Mr. Garson: No.

Mr. Knowles: It will have to come back to us afterwards.

Mr. Abbott: We will have the Senate put the amendment in. Then it will come back here to us.

Mr. Knowles: Will the Senate do whatever you want them to do?

Mr. Abbott: It may refuse it.

Mr. Knowles: We know they do your bidding; but we are surprised you admit it.

The Chairman: Is it understood that the amendment is to be withdrawn?

Mr. Abbott: Yes, I will withdraw the amendment.


The Chairman: Has the minister leave to withdraw the amendment?

Some hon. Members: Agreed.

Amendment withdrawn.

Section agreed to.

Title agreed to.

Bill reported. 

Mr. Deputy Speaker: When shall this bill be read a third time?

Some hon. Members: Now.

Mr. Fulton: No.

Mr. Deputy Speaker: When shall this bill be read a third time? Next sitting?

Mr. Fulton: Agreed.

Mr. Abbott: By leave, now.

Some hon. Members: Now.

Mr. Garson moved the third reading of the bill.

Criminal Code

Mr. Stanley Knowles (Winnipeg North Centre): Mr. Speaker, before the bill is read the third time, there are a few things I wish to say; and I shall move an amendment to the minister's motion for third reading of the bill.

As hon. members are aware there are a great many clauses in this bill, which we have been considering now for a long time, to which we take no objection. Indeed; we are pleased that so much effort has been put into the process of revising and consolidating the Criminal Code, so as to bring it up to date. Many parts of it have been improved immeasurably, and that is due to the tremendous amount of work that has been put into it by all those who have taken part in the effort over the last four or five years.

Nevertheless there are some features in the bill to which we take very strong objection. Those features are perhaps well known, in view of the objections we have been raising in the committee of the whole during the last few days. It is not my purpose to suggest that the time of the house be taken on a series of third reading amendments with a view to testing the house on all the clauses to which we take objection. However there are two particular clauses which we feel should be reconsidered; and when we say we feel they should be reconsidered we mean either that they should be deleted altogether or that they should be amended.

It will be the purpose of the amendment I shall move in a few minutes to place our opposition to those clauses before the house. However, before doing so may I point out that our quarrel with the bill in the form in which it is now before us is not limited to the two subjects which will be mentioned in the amendment I shall move, nor is it limited to the matters I will mention in these few minutes tonight.

However, Mr. Speaker, we have pointed out during the course of the discussion this week that we are not satisfied with the clauses in the bill that deal with such subjects as sedition, treason and the reading of the riot act. We feel, despite the case the government has endeavoured to put forward with respect to these sections, that the question of civil liberties, the question of freedom of speech, and the whole question as to whether or not force and suppression might be used against our people in time of economic difficulty, as well as other important questions, are involved in these matters. We pointed out that we felt that the clauses dealing with sedition are worded too ambiguously; that they make possible the defining in some instances of legitimate attempts at reform as sedition.

We felt that the sentence provided with respect to sedition, namely, fourteen years, is too great, too severe, particularly in view of the way in which this offence is defined. In that connection we have already registered our objection to the fact that the sentence for seditious utterances has been increased twice in the last three years. The penalty was two years up until 1951. In 1951 it was increased to seven years; by this bill it is being increased to fourteen years.

Similarly, Mr. Speaker, we feel that the clauses having to do with treason include too many offences under that heading. We pointed out when we were in committee of the whole that we were very interested in the history of the law of treason which the minister gave. We appreciated the point he made when he indicated that across the years we have moved in the direction of narrowing the number of offences that are to be defined as treason. We feel that in this bill there is a reversal in that course of history and we object, as I say, to the greater number of offences now being included under the heading of treason.

Likewise, Mr. Speaker, we feel that the sections dealing with the use of force to suppress troubles and difficulties, particularly the sections dealing with the reading of the riot act, are too severe. When we were in committee of the whole it was pointed out that the authority, the right, under certain circumstances to read the riot act is extended right down to the deputy of a sheriff. We pointed out also that the penalty provided for those who fail to disperse when the riot act is read, or at least within thirty minutes of the reading of the riot act, is life imprisonment, which again we feel is too severe. We associate these sections of the code that deal with the reading of the riot act, as well as those related to sedition, with instances in our history related to economic difficulties and economic disturbances, and for these reasons we regret that our opposition to some of the terms in these sections was not given greater consideration by the government.

However, Mr. Speaker, as I have already indicated, it is not my purpose to move an amendment which would attempt to cover all of the things that we think are wrong with the bill in its present form, but rather it is my purpose to move an amendment which will cover the two greatest shortcomings, which will deal with the two clauses in the bill which we feel are most important, particularly to organized labour. These two are the clauses dealing with criminal breach of contract and with mischief. We dealt with these two clauses yesterday and today, one of them being clause 365 on which we spent

Criminal Code

most of today, and the other being clause 372 on which some time was spent last evening.

As the hon. member for Kamloops (Mr. Fulton) pointed out last evening, and my colleague, the hon. member for Vancouver-Kingsway (Mr. MacInnis) pointed out earlier today, the clause dealing with mischief, clause 372, is one that attempts to combine some 15 clauses of the old code containing some 50 different offences, and it has put them all in one pot of porridge, which the hon. member for Kamloops suggests is served up without any salt. In addition to the fact that there is a lack of definiteness as to the offences covered under this catch-all clause, we feel that it is a dangerous one in so far as labour relations are concerned. We agree with the labour people who have asserted that this clause is properly named, that it is a mischievous clause, and we feel that it should not be in a code being enacted by parliament in the year 1954.

Likewise we feel, Mr. Speaker, that the government has not really faced up to the issues involved in the debate that has taken place in the committee of the whole today, during which we have contended that labour matters should not be in 365, dealing as it does with criminal breach of contract. This clause is extremely important to organized labour and I submit for the consideration of the house that what is important to organized labour is important to the economy and the well-being of Canada as a whole. Therefore, Mr. Speaker, we feel that the house should have an opportunity to express its view, at least in general terms, with respect to these last two clauses, these last two subjects about which I have been speaking.

At this stage there is only one course left for us to follow, and I propose to follow it and to give the house an opportunity to record its approval or disapproval of these two clauses as they now stand. I am not suggesting to the house that all hon. members have to agree with any particular alteration in these clauses that we might suggest, but I am urging the house to agree with us that in their present form clauses 365 and 372 are unacceptable and should not be included in the Criminal Code. Therefore, to bring this matter to a head, and to give the house an opportunity to express its view on these clauses, I move, seconded by my colleague, the hon. member for Vancouver-Kingsway:

That Bill No. 7 be not now read a third time but that it be referred back to the committee of the whole house, for the purpose of reconsidering clause 365, dealing with breach of contract, and clause 372, dealing with mischief.

Mr. Daniel McIvor (Fort William): Mr. Speaker, I should like to say just a word.

[Mr. Knowles.]

The minister has shown remarkable patience. I have not seen anything like it since I came into the house, patience not only in the house but outside, and I am disappointed that this amendment now comes in.

The minister discussed the question of labour with the three outstanding unions in Canada, and brought in amendment after amendment to suit the Trades and Labour Congress of Canada, but it did not suit all the others completely, which would be a very difficult thing to do.

While I admire the C.C.F. in a good many ways, they remind me now of two teams who had thrown their best into the game and then because one side lost they complained bitterly. Now we have this amendment and I think it is discourteous to the minister. I do not know that I can make my attitude any plainer than that.

Mr. Winch: We never say die.

Mr. Angus MacInnis (Vancouver-Kingsway): Mr. Speaker, may I assure the hon. member for Fort William (Mr. McIvor) that the last thing I would not only agree to do here but even think about would be to do anything that would be discourteous to the Minister of Justice (Mr. Garson). But let me also assure him that as long as we believe that the bill before us can be improved we would be unfair not only to ourselves but to the people of Canada, to the people who sent us here, no matter how few they are, if we failed to use the facilities of this house to the best advantage possible to improve this bill. If hon. members do not agree with what we are asking the house to do now then they will, of course, express themselves in that way and the democratic principle of our parliamentary institutions will have gone the full round.

The hon. member for Fort William referred to the patience shown by the Minister of Justice in piloting this important bill through the house, while he brought in amendment after amendment. I will do the Minister of Justice credit and say that he did not bring in any amendment to this bill unless he thought that amendment would improve the bill. He did not bring in an amendment to satisfy one organization or another. It is quite possible he thought the bill was all right but that certain amendments would not do it any harm and he therefore agreed to introduce them. It is only on that understanding that we can ever believe in the sincerity of the minister and the work he is doing.

I am not going to say anything further with regard to the conduct of the minister during the time this bill was before not only the house but the parliamentary committee.

Criminal Code

I have said all I want to say on that aspect of the matter and I do not intend to take anything back or to detract from anything I have said. I am certainly not going to apologize to anyone for using the facilities of this house in the interests of the people of Canada.

Mr. E. D. Fulton (Kamloops): Mr. Speaker, I am glad the hon. member for Winnipeg North Centre (Mr. Knowles) has moved this amendment. I believe he has been farsighted in the wording of it because, whatever difference of opinion there may be in detail as to what should be done with these two clauses 365 and 372, he is not asking us to tie ourselves down but is simply asking that they be referred back to the committee for the purposes of reconsideration in committee. As we in the official opposition have expressed ourselves quite strongly with respect to both these clauses and the inadequacies and weaknesses thereof, we certainly would have no other course but to support the amendment.

I am glad the hon. member has moved it. Indeed I am prepared to confess to having been caught short. I had overlooked, or, if you like, misinterpreted the rules, and had not anticipated that the third reading would arise tonight. It was my intention to move a similar amendment on third reading and I am grateful to the hon. member, not only for having brought up this particular motion but for having given me time to prepare my own amendment in which I can incorporate the reasons for which we think this bill should be referred back to the committee of the whole.

Our reasons have to do with clauses 690 and 691, two clauses dealing with proceedings by writ of habeas corpus. I am not going to discuss the clauses in detail but simply point out that a very substantial change has been made in that, according to clause 690, once proceedings by way of writ of habeas corpus have been refused on the merits then no further proceedings shall be taken in respect to the person involved before the judge rejects the appeal of any other judge. That runs counter to the trend of our law for many years, and it is diametrically opposed to the judgment delivered in the House of Lords by a prominent judge, Lord Hailsham, in a case which came up in 1928 and which I will quote in part. He said, each judge, and now I quote:

has jurisdiction to entertain an application for a writ of habeas corpus . . . and is bound to hear and determine such an application on its merits notwithstanding that some other judge has already refused a similar application.

We attach particular importance to this question of proceedings by way of writ of habeas corpus as being possibly the most

important single protection which an individual has against unlawful arrest and against the power of the state. It is the right of the individual to require the authorities to show cause why he should be detained, and we feel that the taking away of that right of further proceedings by way of writ of habeas corpus after the initial rejection should not be incorporated in our law.

I am not going to go into any further detail beyond stating the principle, and that we feel the departure from that principle is so important and of such far-reaching consequences and so unacceptable that the bill should be referred back to the committee to give the committee of the whole further opportunity to reconsider and indeed, I would hope, reject the changes incorporated in clauses 690 and 691. I accordingly move:

That the amendment be amended by adding thereto the following words:
"and clauses 690 and 691 dealing with proceedings by way of writ of habeas corpus."

Mr. E. G. Hansell (Macleod): Mr. Speaker, before you take a vote on the amendment may I say that perhaps we have listened to the discussion more than we have spoken to it. We have spoken whenever we felt it was necessary to do so. We have more or less always favoured the proposals and amendments introduced by the minister. We believe he has been most reasonable in this matter. We have voted against many of the amendments proposed by those who sit on this side of the house. Perhaps we will do so again. I do not know. That depends on the amendments they propose and whether they go back to the committee of the whole before the bill is read a third time. But if some other amendment can be made that may solve the problem and be satisfactory to the minister and to the whole house, then we are quite willing to give it another try. We do not see much hope in it, but for this time we shall vote with the opposition that the bill be referred back again for us to have at least one more try, even though we have tried so often in the past little while.

Hon. Stuart S. Garson (Minister of Justice): Mr. Speaker, I think it would be rather an act of supererogation on my part to review at any great length the matters which have been raised in this motion. The seriousness of the motion itself and the amendment is indicated by the fact that about 10 per cent, I should think, as many arguments have been made in support of this motion as were made in connection with the same subject matters when we were in committee. I am not complaining about that fact. I am glad indeed that that small percentage of arguments was made.

Criminal Code

Mr. Knowles: The minister had better be careful. There are a good many speakers over here if the minister wants them.

Mr. Garson: I agree. I am not complaining at all.

Mr. Knowles: Withdraw.

Mr. Garson: I think perhaps I might be forgiven if I at least put on the record in reply one or two points which I think are relevant. In the first place, with regard to the matter of habeas corpus. I was rather taken with the idea that it should have been the hon. member for Kamloops (Mr. Fulton) who moved the amendment to the motion in connection with habeas corpus because the purpose of the section we have provided in the new bill is to restore to the province of British Columbia the very excellent method of having an appeal from the judgment of the trial judge who turned down an application for habeas corpus. I thought that a lawyer practising in British Columbia would be grateful to us for restoring to them what they apparently had always desired to have and did have for many years until a judgment of the supreme court made it unavailable.

An hon. Member: Maybe he did not know that.

Mr. Fulton: Oh, yes. But I do not agree with the minister's interpretation.

Mr. Garson: As to the other matter, namely section 365, criminal breach of contract, I do not know how we could have done anything more than to have continued upon the statute books a provision taking care of wilful breach of contract which has been on the statute books of Canada and of Great Britain for the last seventy-five years. Having reached that decision, I do not know how we could have provided a saving clause to take care of the trade union congresses in any better way than to get in direct contact with them and discuss with them the terms in which that saving clause was drafted.

With regard to the matter of mischief, there is here I think a fairly fundamental difference of opinion between the hon. member for Winnipeg North Centre (Mr. Knowles) and the hon. member for Kamloops on the one hand and the government upon the other. They seem to favour the idea that in drafting a Criminal Code one should specify every single kind of mischief, every single kind of forgery or every single kind of larceny that can possibly take place, spell them all out and provide a separate penalty for each one of them so that in terms of their thinking the rather unintelligent magistrate

[Mr. Garson.]

or judge who is in charge of the case will know, by reading that section, just what he is supposed to do.

Mr. Knowles: Is that a fair description of judges or magistrates?

Mr. Garson: No. But that is the impression my hon. friend seems to have. We on the other hand think that the members of the judiciary are intelligent enough to reach a wise decision upon the facts of the case that comes before them, and within the wider terms of reference provided in Bill No. 7.

In order to demonstrate just how ineffective is this method which my hon. friends advocate, I should like to refer to the sidenotes only of the main section 510 dealing with mischief in the existing code. In connection with mischief it refers to damage to house, ship, or boat; to bank, dyke, or sea-wall; to bridge, viaduct or aqueduct; to railway; to cattle; to ship; to signal; to bank, dyke or wall; to river or canal; to flood gate or sluice; to private fishery; to goods; to machines; to hop-bind; to letter bag; to tree or shrub and so on. All these are separate. The point I would make is that after specifying all these, of other things that could be the subject matter of mischief there must be scores more that are still not covered and that have to be covered by an omnibus clause.

Mr. Fulton: With a maximum penalty of two years.

Mr. Garson: Yes. It was precisely for the purpose of providing a more rational method of defining crime that the new code was drafted. The commissioners were instructed to try to reduce the compass of the code and they succeeded in that regard by reducing it from 1150 sections to 750 sections. To what purpose. This is what they say on this point in their report:

The work of consolidation has been designed to do away with duplication and needless repetition and to draft provisions that will, where possible, eliminate particularization and reduce the need for amendment.

Most of us are perhaps guilty of intellectual vanity, each being proud of his own brain-child and maybe a little bit prejudiced in his viewpoint on that account. I am therefore not suggesting that the members of the royal commission on the one hand or the government on the other should have their views accepted as to whether the methods we have followed is the only proper method of drafting a criminal statute. But upon this very same subject let me read from one of the great British draftsmen who was responsible for the monumental

Criminal Code

imperial consolidated acts in the middle of the nineteenth century. This is what he said. Incidentally, he was also the author or the editor of "Russell on Crime", one of the classical books on criminal law. He said this:

I am very strongly in favour of general clauses when they can be used without any others. They are not only clear and simple; but, if I be not very much mistaken, would reduce the length of our statutes to a greater extent than any other plan that could be devised. Let it be considered what might be effected in forgery alone. No satisfactory reason can be given why the forgery of every written instrument should not be included in a single clause. . . . That clause might be so framed as to include all existing and future instruments; and as no forgery can be tried by any Court of Quarter Sessions, there is no reason why the same wide discretion as to punishment should not be given to the court as in cases of manslaughter.

Then further on—and this a man who was one of the great draftsmen of the last century—he said this:

Hitherto the usual system of framing criminal acts has been to specify each and every act intended to be subjected to any punishment; such a course has the advantage of calling direct attention to all the acts that are made penal; but such a course is open to this objection, that it often leaves offences of equally great criminality unprovided for, and thus affords the artful a chance of evading punishment. Several courses may be adopted to remedy this object. A clause may be framed in such general terms as to include all cases of the same kind within it. This is the simplest, and, perhaps, the best course; and it leaves the judgment of the court entirely unfettered as to the punishment in every case.

I think the argument of my friends the hon. member for Winnipeg North Centre and the hon. member for Kamloops would have been much more convincing if they could have told us of any cases of these particularized offences of mischief that were not covered by the section in the bill. If they are all covered in the section that we have, why should we have to take five or six pages of printing to describe what can be covered in half a page? For that reason, Mr. Speaker, I certainly cannot support my hon. friend's motion.

I should like to take this opportunity of thanking my friend the hon. member for Fort William (Mr. McIvor) for his complimentary remarks as well as my friend the hon. member for Vancouver-Kingsway (Mr. MacInnis). At the same time I should also like to express my deep appreciation—and I am very sincere in this—for the magnificent co-operation which we have had from all the members of the house, particularly those who sat on the special committee of the House of Commons last year. We said when we launched this bill in the first place that we wanted the

approach to the provision of a good Criminal Code of Canada to be conducted on a completely non-partisan basis and that each of us should vote in a non-partisan manner on the merits of each section as it came up.

I must say that I never sat on any legislative committee, either in provincial politics or in federal politics, in which there was less partisanship, a more objective consideration of the merits of each section and a willingness to listen to ideas no matter whence they came. We had some communist organizations there and it was a matter of great pride to me as a Canadian that they received the same courteous attention and the same consideration of their arguments as if they had not been people whose political principles we condemn by considering them and rejecting them. It seems to me that is the essence of genuine freedom of expression and real democracy. I want to say to the members of the house, particularly to those who served on that committee, that as the minister in charge of this bill I am most deeply grateful to them for the splendid manner in which they co-operated in producing what I think is quite a good piece of legislation.

The house divided on the amendment to the amendment (Mr. Fulton) which was negatived on the following division:

YEAS

Messrs:

Aitken, Miss	Johnson (Kindersley)
Balcer	Johnston (Bow River)
Barnett	Jones
Blackmore	Knight
Blair	Knowles
Brooks	Leboe
Bryson	Macdonnell
Cameron (Nanaimo)	MacInnis
Campbell	MacLean
Casselman	McCullough (Moose Mountain)
Castleden	Mitchell (London)
Charlton	Monteith
Churchill	Nicholson
Coldwell	Noseworthy
Dinsdale	Patterson
Drew	Pearkes
Ellis	Perron
Fairclough, Mrs.	Poulin
Fleming	Quelch
Fraser (Peterborough)	Regier
Fulton	Small
Gillis	Stanton
Girard	Starr
Green	Thatcher
Hahn	Tustin
Hansell	White (Hastings-Frontenac)
Harkness	Winch
Herridge	Zaplitny—59.
Hodgson	
Holowach	
Howe (Wellington-Huron)	

Criminal Code

NAYS

Messrs:

Abbott	Langlois (Gaspé)
Applewhaite	Lapointe
Ashbourne	Leduc
Balcom	Lefrançois
Batten	Legare
Blanchette	Lesage
Boisvert	MacDougall
Bonnier	MacEachen
Boucher (Chateauguay- Huntingdon-Laprairie)	McCann
Bourget	McCulloch (Pictou)
Bourque	McIlraith
Breton	McIvor
Brisson	McWilliam
Bruneau	Mang
Buchanan	Masse
Byrne	Michaud
Cameron (High Park)	Philpott
Cannon	Picard
Carter	Pickersgill
Claxton	Pommer
Cloutier	Power (Quebec South)
Cote	Power (St. John's West)
Crestohl	Proudfoot
Deslières	Purdy
Dumas	Ratelle
Fairey	Reinke
Fontaine	Richard (Ottawa East)
Fraser (St. John's East)	Roberge
Garson	Robertson
Gauthier (Portneuf)	Robichaud
Gingras	Robinson (Simcoe East)
Gingues	St. Laurent
Goode	Schneider
Gourd (Chapleau)	Shaw
Gregg	Simmons
Hanna	Stick
Hardie	Stuart (Charlotte)
Harrison	Thibault
Henry	Tucker
James	Valois
Jutras	Viau
Kickham	Villeneuve
Kirk (Shelburne- Yarmouth-Clare)	Weaver
LaCroix	Weir
Lafontaine	Weselak
Langlois (Berthier-Maski- Woods-94- nonge-Delanaudiere)	White (Waterloo South)
	Winters
	Wood—94.

Mr. Speaker: I declare the amendment to the amendment lost. Is the house ready for the question? The question is on the following motion of the Minister of Justice:

That Bill No. 7, an act respecting the criminal law, be now read the third time.

Mr. Knowles: Mr. Speaker, I trust you are not forgetting the amendment.

Mr. Speaker: No, I am putting the whole question. The hon. member for Winnipeg North Centre, seconded by the hon. member for Vancouver-Kingsway, moved:

That Bill No. 7 be not now read a third time but that it be referred back to the committee of the whole house, for the purpose of reconsidering clause 365, dealing with breach of contract, and clause 372, dealing with mischief.

The question is on the amendment to the main motion. Those who are in favour of the amendment to the main motion will please

[Mr. Garson.]

rise? I say this because if we are agreed we are ready for the question now we could proceed without having the bells rung again.

Mr. Knowles: There may be some who missed the other vote.

Mr. Speaker: That is quite true. I shall therefore ask for the yeas and nays. All those who are in favour will please say yea?

Some hon. Members: Yea.

Mr. Speaker: All those opposed will please say nay?

Some hon. Members: Nay.

Mr. Speaker: In my opinion the nays have it.

And more than five members having risen:

Mr. Speaker: Call in the members.

The house divided on the amendment (Mr. Knowles) which was negatived on the following division:

YEAS

Messrs:

Aitken, Miss	Johnson (Kindersley)
Balcer	Johnston (Bow River)
Barnett	Jones
Blackmore	Knight
Blair	Knowles
Brooks	Leboe
Bryson	Macdonnell
Cameron (Nanaimo)	MacInnis
Campbell	MacLean
Casselman	McCullough (Moose Mountain)
Castleden	MacInnis
Charlton	Mitchell (London)
Churchill	Monteith
Coldwell	Nicholson
Dinsdale	Noseworthy
Drew	Patterson
Ellis	Peakes
Fairclough, Mrs.	Perron
Fleming	Poulin
Fraser (Peterborough)	Quelch
Fulton	Regier
Gillis	Small
Girard	Stanton
Green	Starr
Hahn	Thatcher
Hansell	Tustin
Harkness	White (Hastings- Frontenac)
Herridge	Winch
Hodgson	Zaplitny—59.
Holowach	
Howe (Wellington- Huron)	

NAYS

Messrs:

Abbott	Bourque
Applewhaite	Breton
Ashbourne	Brisson
Balcom	Bruneau
Batten	Buchanan
Blanchette	Byrne
Boisvert	Cameron (High Park)
Bonnier	Cannon
Boucher (Chateauguay- Huntingdon-Laprairie)	Carter
Bourget	Claxton
	Cloutier

Criminal Code

Cote	Legare	Stuart (Charlotte)	Weaver
Crestohl	Lesage	Thibault	Weir
Deslieres	MacDougall	Tucker	Weselak
Dumas	MacEachen	Valois	White (Waterloo South)
Fairey	McCann	Viau	Winters
Fontaine	McCulloch (Pictou)	Villeneuve	Wood-93.
Frascr (St. John's East)	McIlraith		
Garson	McIvor		
Gauthier (Portneuf)	McWilliam	Mr. Speaker: Shall the main motion carry?	
Gingras	Mang	Mr. Knowles: On division.	
Gingues	Masse		
Goode	Michaud	Motion agreed to on division and bill read	
Gourd (Chapleau)	Philpott	the third time and passed.	
Gregg	Picard		
Hanna	Pickersgill		
Hardie	Pommer		
Harrison	Power (Quebec South)		
Henry	Power (St. John's West)		
James	Proudfoot		
Jutras	Purdy		
Kickham	Ratelle		
Kirk (Shelburne- Yarmouth-Clare)	Reinke		
LaCroix	Richard (Ottawa East)		
Lafontaine	Roberge		
Langlois (Berthier- Maskinonge- Delanaudiere)	Robertson		
Langlois (Gaspe)	Robichaud		
Lapointe	Robinson (Simcoe East)		
Leduc	St. Laurent		
Lefrançois	Schnclder		
	Shaw		
	Stick		

BUSINESS OF THE HOUSE

Mr. Green: What will be the business tomorrow?

Mr. Winters: Tomorrow we will take the estimates of various departments, in the following order: public works, northern affairs and national resources, national defence, fisheries.

Mr. Abbott: What a day!

It being five minutes after ten o'clock the house adjourned, without question put, pursuant to standing order.