I want to thank the leader most warmly for the consideration he has always shown me and for the confidence that he has placed in me. I also want to thank the members of the house for the kindness, consideration and forbearance with which they treated me on those occasions when I had something to do with the conduct of the business of the chamber.

I am indeed glad that the honourable acting leader opposite (Hon. Mr. Aseltine) does not consider this to be an obituary address. I do not myself so regard it.

I do hope to attend this chamber as frequently as possible and to take an active part in its debates and discussions, though perhaps not in quite as responsible a position as the one I have occupied for the last two years. Thank you very much.

## CRIMINAL CODE BILL

REPORT OF COMMITTEE CONCURRED IN

The Senate resumed from yesterday consideration of the report of the Standing Committee on Banking and Commerce on Bill O, an Act respecting the Criminal Law.

**Hon. Arthur W. Roebuck:** Honourable senators, I am very happy in the atmosphere that has been developed prior to the commencement of my remarks on this subject today, which I expect and hope will be our last sitting day before the adjournment. While the atmosphere is still good I want to express my thanks to the deputy leader of the opposition (Hon. Mr. Aseltine), both on behalf of myself and the other members of the subcommittee of the Banking and Commerce Committee, for the very kind remarks which he made in this debate yesterday evening. The task of the sub-committee was a heavy one, but there was a very great deal of satisfaction attached to it because the importance of the subject called for the very best work of which we were capable.

I also wish to join with the chairman of the sub-committee and of the main committee, the senator from Toronto (Hon. Mr. Hayden), in his references to the able assistance which we received from Mr. A. A. Moffat, Q.C., and Mr. A. J. MacLeod of the staff of the Department of Justice. I marvelled at the detailed knowledge of the Code possessed by these gentlemen; they could state the provisions of a section as soon as its number was mentioned. Their familiarity with the text of the Code reminded me of the familiarity of some divines with the ancient Book. They quoted from the law and cited passages with a facility that was amazing.

I think it would be a mistake if we did not also acknowledge the assistance given by our own staff, in the first instance by our most able legal counsel, Mr. J. F. MacNeill, Q.C. We are much indebted to him for his wise advice and tireless aid in this tremendous work of revision. I couple with his name, although in a different capacity, the Clerk of the Committee, Mr. James D. MacDonald, who did nearly all the clerical work in connection with the revision. And I should mention also the stenographers, who worked overtime to have the amendments prepared in readiness for our consideration at this time. The whole staff under Mr. Armstrong, Chief Clerk of Committees, worked conscientiously and for long hours in their struggle to get the work through. And it has all been worth while. Speaking personally and on behalf of my fellow members of the committee and the others who worked with us, I can confidently say that it has all been worth while, because of the tremendous importance of the subject.

Perhaps I can give a more vivid impression of what it all means if I tell you that according to the Canadian Year Book of 1951, which contains the latest available statistics, the total number of persons convicted in Canadian courts in the year 1948, for offences of all kinds, was 918,277. That is, there were nearly one million convictions by the courts for offences of one kind or another under the Criminal Code, under other federal statutes, under provincial laws, municipal ordinances, and so on. That is a very large number, out of a population of about 14 million. It bears a ratio of 102·1 to every thousand of our population. And remember, that is only the total of the accused persons who were convicted. In addition, many persons accused before the courts were acquitted. Then of course a large number of people appeared as complainants, to say nothing of those who were called as witnesses. I draw attention to this because I think it shows, as nothing else could, the importance of the rules of the game that we are laying down at present, rules that directly affect the lives —and sometimes may even result in taking away the lives—of many subjects, and that in a material sense affect the lives of nearly all of us.

In the past a person who was convicted of some offence paid a fine or served his sentence, and that was the end of it. But today if a conviction is registered for a crime that involves what is called moral turpitude, the convicted person is barred from crossing the international border. Our Immigration Act contains the same provision as does the American Immigration Act in that regard. And the law officers of the Crown have extended the term "moral turpitude" to include even an assault—although I think that sometimes one who commits an assault

should be congratulated rather than condemned. I told the Deputy Minister of Justice that if we were all subjected to the test of whether or not we had committeed assault, within the meaning of the words "applying physical force to the person of another person or threatening to do so," I did not suppose there was anyone in the whole of Canada, any male at all events, who could legally cross the border. I recall the famous statement that John Burns once made in the House of Commons at Westminster, that there are occasions when a smash in the jaw is a good argument. And there are circumstances in which if a person did not apply physical force or at least threaten to do so, I would hold him in contempt.

I refer to this simply to show how wide the effect of a conviction may be in these modern times. It might involve a person for many years to come. In every application for a bond, and in various other documents, the question is asked "Were you ever convicted of any crime?" And the answer has to be written in.

Instead of giving only the total number of convictions for a year, it might be more interesting to state figures of convictions for important offences. In 1948 there were no less than 48,066 charges of indictable offences brought before the courts of Canada, and under those charges 41,632 persons were convicted. That is a startling number. As far as individual cases go, it is not quite correct, because some were charged with two offences at the one time, and some 3,724 were convicted of more than one offence at the time of trial. In that year non-indictable offences numbered 876,000 odd. Punishments for indictable offences varied. Fines, were imposed upon 12,680 convicted persons, and the death penalty was made to apply to nineteen persons.

Traffic regulations are of course not in this Code, but they do account for a great deal of activity in our courts. In the year 1948, violations of traffic regulations numbered no less than 649,000. That, I think, is enough to show that the importance of the subject can scarcely be denied.

In view of the clear and rather extensive review of the bill given last night by the chairman of the committee (Hon. Mr. Hayden), there is very little left for me to say. That will be welcome news to honourable senators. However, there are some things which I think I should say—I go first to the question of treason. Treason involves the question of life and death, the welfare of the state and the titular head of the state, with all the ancient connotations and tragedies; it is a subject which catches the public mind and imagination. Whatever the reason may be, our dealings with the sections on treason seem to have provoked almost undue interest. I notice in one of the morning papers a heading to this effect: Senators vote lighter penalties for treason and espionage. I appreciate the great difficulty that a newspaper reporter faces in his endeavour to write accurately about the work of the sub-committee and of the general committee on the technical aspects of this subject. But let me say that we did not vote lighter penalties for treason and espionage. What we did was to remove one paragraph from the treason section and put it in another section. In that way we perhaps lowered the penalty from life imprisonment or less to fourteen years or less. If there is any difficulty the penalty can very easily be increased. However, fourteen years is a long sentence.

I refer now specifically to subsection (1) of section 46, which is as follows:

(1) Every one commits treason who, in Canada,
(a) kills or attempts to kill Her Majesty—

We have intensified and amplified that paragraph. We carried into the bill the words of the present Code which in the amendments had been dropped, dropped—as far as I can see, without any particular justification—and we added these words:

—or does her any bodily harm tending to death or destruction, maims or wounds her, or imprisons or restrains her.

It is apparent that in that way we have extended the treason provisions.

I turn now to paragraph (c), which reads:

(c) assists an enemy at war with Canada—

Nobody would object to that. Certainly anyone who assists the enemy commits treason, according to its ancient definition. But the paragraph goes on:

—or any armed forces against whom Canadian forces are engaged in hostilities whether or not a state of war exists between Canada and the country whose forces they are.

The idea of making it treason to assist a country against whom there is neither a declaration of war nor any statement by the government with regard to it, simply because its forces are engaged in hostilities with our forces, is entirely new law. I do not say the law is unjustified, provided the person who commits such an offence knows that he is doing it; but I would call the attention of the house to a recent incident when our forces were engaged, without our knowledge, on the island of Koje. I would point out to honourable members that our forces are today under the command of the United Nations, not of our own government. Further, by reason of the activities in Korea, we may be engaged in hostilities with two great nations against whom there has been no declaration of war

and no desire to declare war. My only concern with this particular provision is that it be clarified, so that nobody may be caught in the crime of treason because of having assisted the forces not of an enemy country—of a friendly country—which happens to be engaged with our forces.

For that reason the sub-committee suggested that the word "knowingly" be added, so as to avoid misunderstanding. If war is declared, that is of course a different matter; but in the mixed-up state of the world today some care is required in dealing with one of the most heinous of all criminal offences. The proposed amendment to add the word "knowingly", was not adopted by the Banking and Commerce Committee. The clause remains as it was drawn, but I am not very well satisfied with it.

Paragraph (e) in the treason section of the Code was, I thought, even more open to criticism than paragraph (c). Paragraph (e) reads:

(e) conspires with an agent of a state other than Canada to communicate information or to do an act that is likely to be prejudicial to the safety or interests of Canada.

Let me deal with the various ingredients of that paragraph. "Conspires with an agent of a state other than Canada". The word "agent" could mean any civil servant of any country other than Canada—of the United States or the United Kingdom, for instance, or of any of our fellow members of the British Commonwealth. "Agent" is a very wide term; there are literally thousands of agents through whom information is conveyed.

Then we come to the words, "to communicate information". What kind of information? Atomic information? It is not stated. It might be the most harmless and trifling information, or something which is well known to everybody. No term could be wider than the word "information", and there is but one qualification, that it is likely to be—not necessarily, but possibly—prejudicial to the safety or interests of Canada.

What are the "interests of Canada"? Does "Canada" signify the land of Canada, the people of Canada, or some section of the people of Canada—St. James street, for instance? Or does it mean, perhaps, the labour unions, the educational institutions—this, that or the other thing? What, I repeat, are the "interests of Canada"? If, in talking of treason, you import a commercial or property ownership, are you not going pretty far?

What we have done in this connection is, to allow this provision to stand, but to take it out of the treason sections and put it in the clauses dealing with prohibited acts, which probably are sedition or something like sedition. My comment with regard to the section is this. There should be the most stringent prohibition of the wrongful giving to others of information which may be prejudicial to the safety of Canada. In that direction you cannot go too far. The man who knowingly, for the purpose of injuring Canada, gives away our secrets with regard to atomic knowledge, the bomb, and the like, is the worst and the vilest criminal among us. On the other hand, in attempting to legislate against him let us not interfere with free speech in our own country. Let us not be too sweeping. My thought with regard to this clause is that it should be re-drawn in such a way that that against which we inveigh shall be properly and definitely covered. It may require a whole paragraph in the Official Secrets Act, or the Code, or elsewhere. What I object to about this clause is the draftmanship; I am not satisfied with it at all.

In that connection let me repeat what was said last evening by the honourable senator from Toronto (Hon. Mr. Hayden). This present revision is not a revision of the substance of the Code but only of its structure. The purpose of it was to clarify, rearrange and condense. The job was given to commissioners; but they have gone a good deal further, and have made quite a number of amendments to the substance of the Code. Nevertheless what they have done is not a survey as such of the substance of the clauses of the Code; it is by no means the final word; it is but a beginning, I think, of the revision of our criminal law; and as a result of the attention that has been directed to the Code through these clarifying amendments, I look for many other amendments in the immediate years to come. I suggest to the government that at the next session, or even earlier—because there is plenty of time yet—the clause to which I have referred be thought over carefully, with a full realization of its importance, and that an amendment be prepared and brought in which will make its meaning clear to everybody, myself included, —and I yield to no one in my loyalty to Canada and my interest in her safety.

In passing, let me say that I wish the commissioners had given us a definition of sedition. Here is the present definition:

Seditious words are words that express a seditious intention.

When I read this to laymen who are not familiar with it, usually they laugh.

**Hon. Mr. Reid:** What section is that?

**Hon. Mr. Roebuck:** Section 60.

(1) Seditious words are words that express a seditious intention.

(2) A seditious libel is a libel that expresses a seditious intention.

(3) A seditious conspiracy is an agreement between two or more persons to carry out a seditious intention.

(4) Without limiting the generality of the meaning of the expression "seditious intention", every one shall be presumed to have a seditious intention who—

And this is what has been added by the commissioners, and I approve it heartily, because it has made this point specific, though none other—

—teaches or advocates, publishes or circulates any writing that advocates the use, without authority of law, of force as a means of accomplishing a governmental change in Canada.

Now, if that is sedition, all right. But it is only included in the definition of sedition, and the balance is left to the common law; that is to say, to the dozens of cases of sedition and seditious experience which you will find recorded in the law reports of Great Britain and Canada. The history of sedition goes back many years. A member of my family took part in 1832 in the criminal trials which followed the riots and lawlessness which accompanied the passing of the Reform Bill, and one of his statements on the subject is authoritative law.

Now, why should we not take our courage in our hands, let somebody who has authority to do so tell us what sedition is, and take the chance, if you choose, of making an error? It is far better that everybody should know what it is than to leave the word loosely defined or not defined at all. I wish that matter had been taken up, and I hope that among the amendments which will follow the passing of this bill, "sedition" will be clearly and courageously defined.

Clause 62 follows the provisions relating to sedition. I want to express satisfaction with our handling of this matter. The report of the subcommittee was endorsed unanimously by the Banking and Commerce Committee. The section was as follows:

Every one who, without lawful justification, publishes a libel that tends to degrade, revile or expose to hatred and contempt in the estimation of the people of a foreign state any person who exercises sovereign authority over that state is guilty of an indictable offence—

and so on. I do not know why in our Criminal Code we should follow the ancient law which makes it an offence to say something disagreeable about the head of a foreign state. I can understand why this was an offence some two hundred years ago, when the head of the state was the government of the state. But just fancy applying that section to Mr. Hitler prior to the declaration of the last war. Fancy charging a man for having reviled Hitler—

**Hon. Mr. Reid:** Imagine applying it in the case of Stalin right now.

**Hon. Mr. Roebuck:** Yes, or Farouk, for instance. You can say anything you like about him just now; but if, a year ago, you had said something that would have degraded him in the opinion of the Egyptians, you would have been guilty under our Code and liable to severe penalty. This is true of all the princes of India, the chiefs of Africa, and so on. It is time that this kind of archaic law was abolished. Let anybody, whether the head of a state or not, come to our courts and sue for libel if we have said something about him.

**Hon. Mr. Aseltine:** Hear, hear.

**Hon. Mr. Roebuck:** He can get justice in our courts too. As I say, I experienced some satisfaction upon seeing that go by the board.

**Hon. Mr. Reid:** Has that section been deleted?

**Hon. Mr. Roebuck:** Yes, we have deleted it.

I want to refer the house now to sections 57 and 63. I am not complaining at all that the committee did not agree with my representations while this matter was before them, but I want to put myself on record as not liking this business of making the Royal Canadian Mounted Police a sacrosanct force. I do not like to see a police force in this country placed in the category of a military force. The R.C.M.P. is a civilian force and at the present time is performing police duties in every province in Canada except Quebec and Ontario. Its members for the most part, are acting as traffic cops all over this country, enforcing the law of the land in just the same way as members of provincial or municipal police forces are doing. I am interested in maintaining the civilian status of the R.C.M.P.—a force of which we are very proud—and not allowing it to come into the category of a Swiss Guard or an S.S. force.

Let me read to you what section 63 provides. It says:

63. (1) Every one who

(a) interferes with, impairs or influences the loyalty or discipline of a member of a force,

(b) publishes, edits, issues, circulates or distributes a writing that advises, counsels or urges insubordination, disloyalty, mutiny or refusal of duty by a member of a force, or

(c) advises, counsels, urges or in any manner causes insubordination, disloyalty, mutiny or refusal of duty by a member of a force,—

That is all right as applied to military forces. We must be careful with regard to them, because they may be engaged in hostilities with our enemies. But on page 24 of the bill you will find these words:

(2) In this section, "member of a force" means a member of

(a) the Canadian Forces,

(b) the naval, army or air forces of a state other than Canada that are lawfully present in Canada, or
(c) the Royal Canadian Mounted Police.

I spoke about this matter in detail in committee, and indeed on previous occasions in this house, but I do wish that my fellow members would join with me in an effort to keep the Royal Canadian Mounted Police a civilian force and not allow it to become a military force. We do not want a military force to do our police work.

I should like to refer the house now to section 372, which deals with mischief. I do not expect the members of this chamber to agree with me any more than did the members of the Banking and Commerce Committee in my views on this section.

I read from the section:

372. (1) Every one commits mischief who wilfully
(a) destroys or damages property,
(b) renders property dangerous, useless, inoperative or ineffective,
(c) obstructs, interrupts or interferes with the lawful use, enjoyment or operation of property,—

I submit that no strike ever took place in this country that did not do one or other of those things. Strikes have always interfered in some way with the enjoyment or operation of property. That is usually the very purpose of a strike.

In committee I suggested that the following words be inserted: "A lawful act done in furtherance of the purpose of a trade union is not mischief". I also suggested that this clause be included in another section, but I will not take time to deal with that now. I think I can see the humour of what happened yesterday in committee. There I stood in splendid isolation, the only one who voted for my amendment. That is perfectly all right, but you will hear about that clause in the future or I am no prophet.

There is just one more matter I wish to discuss, and it has to do with the right of appeal. There was unanimous agreement on this point in committee, and I want to say something about the justification of it. According to the common law, which is read into this section, a judge on the bench has the right to call anybody to appear before him, or if the person is before him, order him to stand up, and then in his capacity as the chief of the proceedings convict the person of contempt of court and impose some penalty —perhaps a fine or a jail sentence—and there is no appeal. In all the offences dealt with in the 748 sections of our Code, this offence, and this offence alone, is the only one in which the decision of the judge is absolutely final. He acts as the witness as to what has taken place, he is the prosecuting attorney, he is the judge, and he is the executioner.

**Hon. Mr. Ross:** What section are you dealing with?

**Hon. Mr. Roebuck:** Section 8. This sort of thing is not healthy from the standpoint of those who suffer under it, and it is not healthy from the standpoint of the judge. The Banking and Commerce Committee is recommending an amendment in this bill which will give a person who is accused by a judge of contempt of court—not in the face of the court—the right to appeal against the conviction and also against the sentence. The individual who is convicteld of the offence of contempt of court in the face of the court has the right to appeal against the sentence only. The difference is this. It is necessary to maintain the dignity of the court and the control of the presiding officer over the court. If a person interrupts court proceedings, for instance, and defies an order of the judge to sit down, the judge has no option but to order the constable to place him under arrest and commit him for contempt—and he is kept in custody until he has cooled off. If the judge imposes a long sentence, then of course under the new Code there probably would be an appeal, but there would be no right of appeal against the conviction itself. Perhaps there should be, but in the committee we thought we had gone far enough in providing an appeal against the sentence in such cases.

I could refer to a number of instances of conviction for this offence. I am not holding any briefs for newspapers, but they or their employees have been the ones most frequently involved. Not long ago in this very city the editor of one newspaper was called before a judge and fined $3,000 for contempt of court. I do not say the conviction and fine were not perfectly justified, but I do think that the party who suffered under the decision would have been better satisfied with the justice of it had he been able to have the case reviewed by some higher court, by judges who were not so close to the prosecution as the one who testified against the person accused, found him guilty and wrote the judgment. It would have been a healthier state of affairs if that decision could have been submitted for review by another court. I do think that this amendment to the Code is a really good one, thoroughly justified, and that it will be well received by courts across Canada.

**Hon. Mr. Reid:** Would the honourable senator permit me to ask a question about the wording of paragraph (b) of section 8. It reads:

Notwithstanding anything in this Act or any other Act no person shall be convicted
(b) of an offence under an Act of the Parliament of England, or of Great Britain, or of the United Kingdom of Great Britain and Ireland—

Should that not read "Great Britain and northern Ireland"?

**Hon. Mr. Roebuck:** No. As I stated previously, no charge can be laid under the Code except for an offence that is within the four corners of the Code. We are reading out of this Code the statutory law of Great Britain, of the United Kingdom, and of Great Britain and Ireland. I think that "Great Britain" in this instance includes northern Ireland, and that "Ireland" means southern Ireland.

**Hon. Mr. Reid:** Thank you.

**Hon. Mr. Roebuck:** The section goes on to say also that no person shall be convicted

(c) of an offence under an Act or ordinance in force in any province, territory or place before that province, territory or place became a province of Canada.

So the whole law of the provinces of Upper Canada and Lower Canada, of the Northwest Territories and of Manitoba before it became a part of Canada, is now a thing of the past, so far as the criminal law is concerned, and one cannot be convicted of a criminal offence that does not come within the four corners of this Code.

Honourable senators, I thank you for the kind attention with which you have heard me. I am happy about this piece of work and the report which is before us, on which we shall be voting shortly. I am sorry that you have not had more time to study the report. It would have been better if at least several days had intervened between the time of its presentation here and the vote upon it, because the report is really voluminous. It recommends no fewer than 117 amendments, in addition to the 63 amendments that our committee made last year. In all, we have suggested 180 amendments to the Code that came to us last session. If you were to try to follow the report in detail it would require some hours of careful study to find out even what we were doing.

As I say, I am sorry that we have not a little more time, but it seems to be in the public interest that we pass the bill today. I express my satisfaction in what I think is a real improvement to the Code and some improvement to the substantive criminal law of Canada. If as a result of our work the Code is improved, we shall have conferred a benefit upon thousands and hundreds of thousands of our fellow citizens.

**Hon. W. D. Euler:** Honourable senators, although I am a member of the Banking and Commerce Committee, which considered this bill, I wish to assure you at the outset that I have not the slightest intention of dealing with the subject-matter of the bill, beyond saying that I approve of all the changes that have been made, and particularly, perhaps, in that part of the Code which designates what constitutes treason.

I merely rise to say that I think it would be unfortunate if someone did not convey to the members of the sub-committee the appreciation of the main committee itself and of the members of this house as a whole for the work which the sub-committee has done. Those of you who attended the meetings of the committee know what a thorough study was made of the Code. Had that not been done, the Senate, I think, would have found it utterly impossible to pass intelligently upon this voluminous bill. We had a great deal of confidence in the members of the sub-committee, and I think everyone will agree that it was justified. Three or four gentlemen learned in the law, leaders in their profession, gave freely of services which if one may judge from the fees that lawyers of their eminence sometimes charge to large corporations, must have been worth many thousands of dollars.

**Hon. Mr. Aseltine:** They will be rewarded in the next world.

**Hon. Mr. Euler:** They did it without remuneration, their only reward being the satisfaction of having done a good job.

The few times I attended sittings of the committee I learned a great deal about the criminal law. In fact, some of the things I heard there were almost alarming. It must have occurred to some other members of the committee, as it did to me, that one might commit a criminal offence without being aware of it. I sometimes think that there is a tendency in government today—I include governments in general—to fall into the habit of what may be called witch-hunting. Perhaps that is too strong a term, but honourable senators will understand what I mean.

I repeat that my main purpose in rising was to place on the records of this house, on my own behalf and, I am sure, that of all other members of the Banking and Commerce Committee, and of the Senate as a whole, our appreciation of the great work which these gentlemen of the sub-committee have done.

**Hon. T. A. Crerar:** Honourable senators, before the report is adopted I should like to associate myself with the remarks made by my deskmate, the honourable senator from Kitchener—

**Hon. Mr. Euler:** Waterloo!

**Hon. Mr. Crerar:** Yes, from Waterloo. And I may add, my senior in years by a narrow margin and in experience by a very substantial margin.

**Hon. Mr. Euler:** Hear, hear.

**Hon. Mr. Lambert:** How about wisdom?

**Hon. Mr. Crerar:** The bill before us is probably one of the most important pieces of legislation to be dealt with by this house for a considerable period of time. Obviously, it was impossible for a layman like myself to grasp its full import. The measure was confided to the Banking and Commerce Committee, and the work of that committee is reflected in the report presented to the house yesterday.

While the committee did an excellent job on the measure, I should like to direct particular attention to the honourable senators from Toronto, Toronto-Trinity and Vancouver South.

**Hon. Mr. Euler:** Why not name them, so that they will go down in history?

**Hon. Mr. Crerar:** I will do that. They are the honourable senators Hayden, Roebuck and Farris. They devoted a great deal of close attention to this bill. These gentlemen—all of them eminent in the law—have prepared a report which individuals like myself can accept with confidence.

One other comment that I should like to make is this: The nature of the amendments impressed upon my mind the fact that the committee had done an excellent job in one particular respect. It is the tendency of law administrators and prosecutors to attempt to pave the way to easy convictions. That is an insidious danger in the law-making process of this country. I was happy to note that the committee appeared to guard very effectively against that tendency. Indeed, the amendments made by the sub-committee, accepted by the main committee, and now before the house, add many safeguards to the bill as originally drafted. In that respect I believe the amendments improve the legislation. To my mind, nothing is more important in the law making process than to protect the liberty, freedom and rights of the individual, and to assure that justice will be meted out with caution and fairness. In this I think the committee has succeeded.

I told my colleague from Waterloo that I would not speak any longer than he did, so I must conclude my remarks.

**Hon. Mr. Euler:** You need not keep your word.

**Hon. Wishart McL. Robertson:** Honourable senators, there is little that I can add by way of useful comment on the committee's report on this important bill. I only desire to express my thanks and appreciation for the very thorough and painstaking work that has been done by the Banking and Commerce Committee in their consideration of this measure.

Honourable senators will recall that Bill H-8, an Act respecting the Criminal Law, was first introduced on May 12, 1952, during the last session of parliament. The Minister of Justice came to this house to speak on the motion for second reading, and on May 15 the bill was referred to the Banking and Commerce Committee. The main committee appointed a sub-committee to consider the measure clause by clause, and after twelve meetings they reported to the main committee on June 20, suggesting approximately sixty amendments. The main committee held three meetings, considered the amendments, and subsequently reported to the Senate recommending that, because of the amount of work still to be done, the bill be not further proceeded with at that session.

A new bill was presented to this house at the earliest possible moment, and on November 25 it was referred to the Banking and Commerce Committee. This new bill incorporated many of the amendments proposed by the sub-committee during the previous session. Again the sub-committee set themselves to their painstaking task, and after fifteen meetings reported to the main committee on December 5, suggesting 104 amendments. The main committee proceeded to a detailed consideration of the proposed amendments, heard witnesses and reported to the house yesterday, December 16.

It must, of course, be pointed out that many of the amendments were relatively minor in nature, involving such questions as phraseology; but the fact that in the two sessions they numbered 164 in all indicates that none of the 744 sections were accepted without scrutiny.

I am bound to point out that the burden of the work fell on the sub-committee of the Banking and Commerce Committee. I congratulate all members of the committee, but I feel that I should especially mention the Chairman, the Honourable Senator Hayden, and the Honourable Senators Roebuck and Farris, who brought to bear on this important question the wide experience and undoubted knowledge of the law which has made them outstanding in the legal fraternity of Canada. Associated with them was the Law Clerk of the Senate, whose faithful services are so often available to the committees of the Senate and are perhaps too frequently taken for granted, and also the law officers of the Department of Justice, who patiently rendered every assistance. All in all, these gentlemen formed a team that for a task of

this kind would be hard to duplicate. I thank them one and all for their excellent performance.

**Some Hon. Senators:** Hear, hear.

The motion was agreed to, and the amendments were concurred in.

THIRD READING

**The Hon. the Speaker:** Honourable senators, when shall the bill be read the third time?

**Hon. Mr. Robertson:** With leave of the Senate, now.

The motion was agreed to, and the bill as amended was read the third time, and passed.

## DIVORCE BILLS

FIRST READINGS

**Hon. Mr. Aseltine,** Chairman of the Standing Committee on Divorce, presented the following bills:

Bill K-3, an Act for the relief of Jane Louttit Dormer.

Bill L-3, an Act for the relief of Roger Loiselle.

Bill M-3, an Act for the relief of William Oscar Gilbert.

Bill N-3, an Act for the relief of George Magner.

Bill O-3, an Act for the relief of Teodora Szablity Szentirmai.

Bill P-3, an Act for the relief of Arthur Piche.

The bills were read the first time.

SECOND READINGS

**The Hon. the Speaker:** Honourable senators, when shall these bills be read the second time?

**Hon. Mr. Aseltine:** With leave of the Senate, now.

The motion was agreed to, and the bills were read the second time, on division.

THIRD READINGS

**The Hon. the Speaker:** Honourable senators, when shall the bills be read the third time?

**Hon. Mr. Aseltine:** With leave of the Senate, now.

The motion was agreed to, and the bills were read the third time, and passed, on division.

## ADJOURNMENT

**Hon. Mr. Robertson:** Honourable senators, we have disposed of the Address in reply to the Speech from the Throne, and of all items on the order paper.

We have passed fourteen government bills, including the Act respecting Criminal Law and the Act respecting Food, Drugs, Cosmetics and Therapeutic Devices, which were major revisions of existing statutes, and involved the hearing of witnesses and much committee work. We have passed three private bills and seventy-four divorce bills, a total of ninety-one.

As we have completed our work, and as there is no further business before us and it is unlikely that there will be much for us to do until two or three weeks after the House of Commons assembles on January 12, I would move, subject of course to the authority already given to His Honour the Speaker to call us back in case of necessity:

That when this house adjourns today it stand adjourned until Tuesday the 3rd day of February, 1953, at 8 o'clock in the evening.

The motion was agreed to.

The Senate adjourned until Tuesday, February 3, 1953, at 8 p.m.