

to legalize it than to leave it as it is.

MR. BENCE: Purely from the viewpoint of Canada's war effort. I am against the communist party 100 per cent, naturally, but the point is this, that we cannot deal with it on any other basis than whether or not they are going to be subversive of Canada's war effort. That is what the Defence of Canada Regulations are made for.

MR. ROSS: The witness thinks they would be.

WITNESS: Here is my answer. Suppose that an individual had a criminal intent against another individual -- and I think we can say beyond doubt that the communist party has had a criminal intent against the state up to a certain time. Their admission is there in black and white. If an individual had a criminal intent against a certain individual and he comes to you and he says, "Well, my mother and my sister have come to me and they have prevailed upon me that I should not endeavour to kill that man any more." What else have you got but his own word? Should you judge him in the light of his past wrongdoing and his past life? His past life has been his intent and desire to kill that individual. That is the thing that he has preached ever since he was able to preach anything, the thing which he has kept constantly at in a constant way.

BY MR. MAYBANK:

Q. I think there is one point we might keep in mind in regard to this submission and that is whether the communist party may be a lot of bad eggs or not. We have already decided that they are quite legal as far as the criminal law is concerned and quite a proper organization up until the time of the passing of the Defence of Canada regulations. There used to be a law that rather impinged upon that, it was called section 98. Now we wiped that out. That does not say quite that we gave them a clean bill of health, but it does