

Hon. Mr. POPE: I would ask the right honourable the acting leader of the Government if he has any news respecting an increase in the indemnity.

Right Hon. Mr. GRAHAM: The news seems to have been lost in transit.

Hon. Mr. POPE: Sorry.

The Senate adjourned until to-morrow at 3 p.m.

## THE SENATE

Thursday, June 13, 1929.

The Senate met at 3 p.m., the Speaker in the Chair.

Prayers and routine proceedings.

### UNITED STATES TARIFF INQUIRY

Before the Orders of the Day:

Hon. Sir EDWARD KEMP: Honourable gentlemen, I should like to ask the right honourable leader of the House a question, and in order to make it quite clear I ask permission to read a brief Associated Press despatch which appears in this morning's Citizen:

Washington, June 12.—A formal note from France protesting against the proposal to increase tariff on certain French products imported into the United States has been delivered to the state department by Ambassador Claudel.

Formal protests against the tariff also have been filed by Spain, Italy and Persia, and retaliatory action has been urged in these countries as well as France. More than a dozen nations have forwarded material through the state department for the consideration of the house ways and means and senate finance committees.

I should like to inquire of the right honourable leader of the House whether Canada has forwarded representations to the Government of the United States with regard to pending tariff legislation of the United States and any adverse effect it may have on Canadian products going into that country.

Right Hon. Mr. GRAHAM: Honourable gentlemen, I have no information on this matter. I will inquire of the Government, and will call attention to the question asked by my honourable friend.

### CRIMINAL CODE AMENDMENT BILL REJECTED

Right Hon. Mr. GRAHAM moved the second reading of Bill 81, an Act to amend the Criminal Code.

Hon. W. B. WILLOUGHBY: Honourable gentlemen, it is my intention to make but a few remarks on this Bill. I assume the Government have not been obsessed with the necessity for this proposed legislation, or they would have brought it down much earlier in the Session. In a limited way, during the time at my disposal, I have been looking into the origin and the history of this Bill, and if it reaches another stage in this House I may have more to say on it than at present.

As honourable gentlemen know, the sections of the Criminal Code which this measure proposes to repeal were passed in 1919. In another place the Minister of Justice made some remarks about the Bill having been sent to this Chamber four or five times and rejected. I have not looked up this matter myself, but I have caused the records to be searched and I find that the same Bill has been passed by the other House on only three previous occasions, namely, in the Sessions of 1926, 1926-27, and 1928, and it was not discussed there, in any formal way at least, from the time the amendments to the Criminal Code were made in 1919 up to and including the year 1925.

The first comment I have to make on the Bill itself is that everyone admits there has never been any proceeding, criminal or other, under section 98 of the Criminal Code, which we are asked to repeal. This shows that in actual practice, which is the best test of legislation, the section has not been the cause of hardship or oppression to anyone. If there had been a prosecution under this section of the Code we should have a record of it; but it is conceded, even by those in the other House who favoured the Bill, that advantage has not been taken of the section. It is a well defined practice in British Parliaments to pass legislation when the need for it arises, or when public sentiment demands it, and not to pass very much anticipatory legislation.

The only possible justification I can see for the Bill would be the assumption that section 98 of the Criminal Code is prejudicial to the rights of trades unions, but I can find no ground for such an assumption in the section as I read it. We on this side of the House are as kindly disposed to the activities and functions of trades unions as are honourable gentlemen on the other side; we have no desire to harass or embarrass the unions, nor to interfere in their proper operations.

In accordance with a healthy practice which I had some part in advocating, and which was introduced in this House, there are explanatory notes printed with the Bill. These