

fore beyond the jurisdiction of this parliament. I should like to know now what the implications of the section are and why it is here.

Mr. RINFRET: The hon. member for Vancouver East has mentioned that certain resources are included in the undertakings referred to in this section, and he has gone on to talk about concessions or leases which are not provided for by this bill. As I said before, all these concessions and leases have been granted by another government under legislation quite different from this. The undertaking under this bill is simply the railroad and the various other powers that have been granted to this railway company by sections 11 to 16. That is the undertaking of the company.

Section agreed to.

Bill reported.

Mr. SPEAKER: When shall the bill be read the third time?

Mr. MACKENZIE: With the consent of the house, now.

Mr. RINFRET: I move that the bill be now read the third time.

Mr. CLARENCE GILLIS (Cape Breton South): Before you put the motion, Mr. Speaker, there are a few words I should like to say. Personally, and speaking for the members of this group on this matter, I do not think the bill should be read the third time. This bill confers wide and sweeping powers.

Mr. MACKENZIE: I rise to a point of order. If anyone objects to third reading after amendments, the bill cannot be read the third time now and stands for third reading at the next sitting of the house.

Mr. SPEAKER: Does the house consent to the third reading?

Some hon. MEMBERS: No.

Mr. SPEAKER: Next sitting.

CRIMINAL CODE

ORGANIZATIONS ADVOCATING OVERTHROW OF CONSTITUTED AUTHORITY

On the order:

Resuming the adjourned debate on the motion of Mr. LaCroix for the second reading of Bill No. 133, to amend the criminal code (illegal organizations).

Mr. ILSLEY: Mr. Speaker, I moved the adjournment of this debate and I should like to move the adjournment again.

Mr. LaCROIX: Do I understand that the debate had been adjourned by the minister?

Mr. ILSLEY: That is right. I am not ready to proceed and I want to move the adjournment again.

Mr. LaCROIX: It stands, then?

Mr. ILSLEY: Yes.

Mr. LaCROIX: Stands.

SUPREME COURT ACT

AMENDMENT TO ABOLISH APPEALS TO PRIVY COUNCIL

Mr. F. E. JAENICKE (Kindersley) moved the second reading of Bill No. 154, to amend the Supreme Court Act.

He said: This bill is practically identical with Bill No. 9 which was introduced into this parliament by the Hon. C. H. Cahan in 1939. That bill came up for second reading in this house on April 14, 1939, and on motion of the Right Hon. Mr. Lapointe, then Minister of Justice, the debate was adjourned with the object that, before the house was called upon to vote on the principle of the bill, it should be referred to the Supreme Court of Canada for the purpose of ascertaining whether or not this parliament had the power to enact the proposed legislation. This was done and the Supreme Court of Canada upheld the constitutional powers of parliament to enact this legislation, as reported in 1940 Supreme Court Reports, page 49, though one of the learned judges dissented in whole and another dissented in part. From this decision of our supreme court an appeal was taken to the privy council. The hearing of this appeal was postponed until after the conclusion of the war. The appeal has now been disposed of, and the privy council upheld the validity of the legislation. The case is reported in 1947 (1 D.L.R. page 801). The concluding sentence of the judgment as reported on page 816 reads as follows:

Their lordships are of the opinion that . . . Bill 9 of the fourth session of the eighteenth parliament of Canada entitled "An Act to amend the Supreme Court Act" is wholly intra vires of the parliament of Canada, and they will humbly advise His Majesty accordingly.

It therefore becomes unnecessary for me to discuss in any way the constitutional aspect of this new bill before us. In reading the debates in this house on previous occasions, when this matter was before parliament, one finds that the constitutional aspect of the situation was always the most prominent feature of the debate, but in view of the binding judicial decision which we have now received, I say that it is no longer necessary to discuss the constitutional aspect.