

follows they have not the right to keep him from the exercise of his physical liberty and various other things which belong to a man, naturally, so long as he conducts himself properly in his relations with his fellow men. That may be an extreme putting of the argument. My hon. friend, has this answer to that: that you may deprive a man of his liberty, and you may deprive him of his life, but if you simply deprive him of his liberty, and it so happens that wrongful evidence has been given and therefore a faulty judgment rendered, some reparation can be made if he is still in the land of the living, whereas in the other case, he has gone to his Judge and he is outside of our jurisdiction entirely. I am not going to say that our methods in the administration of justice have been in the past what they might be, or are to-day what they might be, but I think we are making continual improvement, and the time may come where it will be unnecessary to have such extreme punishment as capital punishment is, and administered as it has been for the deterrence of great criminals. That time may come, but all that I have to say now is, that whilst expressing my own opinion that the time has not yet come—which I am not holding obstinately, and with regard to which I am quite open to conviction—I do not think it is proper for us in this House, after the short discussion we have had of this matter this afternoon, to affirm as a principle, that this House agrees on the second reading of this Bill, that capital punishment should be abolished. If we are not ready for the full discussion of it with a view to ultimate action, I think it would be unfortunate for us, by a vote of silence, as it appears at the present time this would be, to change our policy in this drastic way. The matter is entirely open for the members of the House to discuss, but rather than a vote should be taken and the principle affirmed I would move the adjournment of the debate.

Mr. F. B. CARVELL (Carleton, N.B.): I agree to some extent with my hon. friend the Minister of Trade and Commerce, not so much that I would like to see the debate adjourned, but I would like the matter to be discussed as thoroughly as it possibly can be, and a vote taken upon this very important matter. I do not agree with the Minister of Trade and Commerce that this House is disposed to let this Bill pass by a silent vote, without giving expression to their opinions. I

have certain opinions, perhaps not very strong, yet opinions which I have gained from nearly a quarter of a century's practice at law, and I must say that my opinion from that long experience is rather opposed to the principle sought for by my hon. friend from Montreal (Mr. Bickerdike). I cannot bring myself to believe as society and conditions exist in Canada to-day, that it would be in the best interests of the public to have capital punishment abolished, although I must congratulate my hon. friend from Montreal on the very able presentment of his case. It shows great reading, great learning, deep thinking, a big mind and a big heart; nevertheless, a lawyer might be equally sincere and arrive at different conclusions from my hon. friend. I suppose we are all liable to arrive at our conclusions in this world from our personal surroundings, and what we have met with personally in our affairs.

Mr. FOSTER: I understand then, that my hon. friend would like to discuss the question?

Mr. CARVELL: I would.

Mr. FOSTER: I merely made my motion on the assumption that the House did not wish to discuss the question any longer, and as I think under my motion my hon. friend would be out of order, in discussing this, I withdraw my motion for adjournment, since I learn that my hon. friend and others wish to carry on the discussion.

Motion for adjournment of debate withdrawn.

Mr. CARVELL: Following up the line of thought which I was trying to give the House, I repeat that we probably all draw our conclusions from our own experience of life. I have had the experience of having to prosecute in two or three cases of capital crime, and I have defended more than half a dozen, and I think that my hon. friend the member for Montreal, (Mr. Bickerdike) has proceeded in the first place upon wrong premises. His idea seems to be that the underlying principle behind capital punishment is revenge or as he put it: the man is not fit to live, therefore hang him. I cannot agree with that. I do not think that was the original intention of the law, and I know it is not the present intention of the law of Canada. I do not believe it is the law which operates with judges and jurors and the public generally in enforcing this law.