

Consideration was resumed at the report stage of Bill C-2, An Act to amend the Criminal Code, as reported (with amendments) from the Standing Committee on Justice and Legal Affairs.

Debate was resumed on the motion of Mr. Lawrence, seconded by Mr. Bell,—That Bill C-2, An Act to amend the Criminal Code, be amended in Clause 2, by deleting on page 1 the comma in line 15, by inserting an “(a)” immediately before the word “in” in line 16, by re-numbering paragraphs (a) and (b) as (i) and (ii), and by adding immediately after line 5 on page 2, the following new paragraphs:

“(b) in respect of any person, where such person causes the death of a human being while committing or attempting to commit an offence under section 76.1 and

(c) in respect of any person, where such person causes the death of a human being and has been previously convicted of murder, whether or not such murder is punishable by death.”

After further debate, the question being put on the said motion, pursuant to section 11 of Standing Order 75, a recorded division was deferred.

The House resumed debate on the motion of Mr. Turner (Ottawa-Carleton), seconded by Mr. Faulkner,—That Bill C-164, An Act to authorize the provision of moneys to meet certain capital expenditures of the Canadian National Railways System and Air Canada for the period from the 1st day of January, 1973, to the 30th day of June, 1974, and to authorize the guarantee by Her Majesty of certain securities to be issued by the Canadian National Railway Company and certain debentures to be issued by Air Canada, be now read a second time and referred to the Standing Committee on Transport and Communications.

And debate continuing;

At 10.45 o'clock p.m., pursuant to Special Order made Friday, July 27, 1973, the House reverted to the deferred division on the motion of Mrs. Morin, seconded by Mr. Trudel,—That Bill C-2, An Act to amend the Criminal Code, be amended in Clause 2 by deleting on page 1 the comma in line 15, by inserting an “(a)” immediately before the word “in” in line 16, by re-numbering paragraphs (a) and (b) as (i) and (ii), and by adding immediately after line 5 on page 2 the following new paragraphs:

“(b) in respect of a male person, where such person causes the death of a female person while committing or attempting to commit rape, and

(c) in respect of any person, where such person causes the death of a human being while committing or attempting to commit an offence under section

247, or, if while committing or attempting to commit that offence, such person abandons a human being and death ensues as a consequence.”

And the question being put on the said motion, it was negatived on the following division:

(Division No. 41)

YEAS

Messrs.

Alkenbrack	Horner	Muir
Andre	(Battleford-	Munro
Arrol	Kindersley)	(Esquimalt-
Beattie	Hueglin	Saanich)
(Hamilton	Hurlburt	Murta
Mountain)	Jarvis	Neil
Bell	Knowles	(Moose Jaw)
Blenkarn	(Norfolk-	Nesbitt
Campbell	Haldimand)	Nielsen
Caouette	Lambert	Oberle
(Charlevoix)	(Edmonton West)	O'Sullivan
Caouette	Laprise	Paproski
(Témiscamingue)	La Salle	Patterson
Carter	Lawrence	Portelance
Clarke	Lessard	Reynolds
(Vancouver	L'Heureux	Schellenberger
Quadra)	Loiselle	Scott
Crouse	MacInnis	Smith
Danforth	(Cape Breton-	(Saint-Jean)
Darling	East Richmond)	Stackhouse
Dinsdale	MacKay	Stevens
Dionne	MacLean	Thomas
Dupras	Madill	(Moncton)
Epp	Marshall	Towers
Frank	Masniuk	Trudel
Gauthier	Matte	Turner
(Roberval)	McCain	(London
Godin	McCleave	East)
Hargrave	McKenzie	Wagner
Higson	McKinley	Whicher
Hopkins	McKinnon	Whittaker
Horner	Mitges	Wise
(Crowfoot)	Morin (Mrs.)	Woolliams
		Yewchuk—78.

NAYS

Messrs.

Allmand	Côté	Gray
Atkey	Cyr	Grier
Baker	Danson	Guilbault
Baldwin	Davis	Haidasz
Barnett	De Bané	Harding
Basford	Demers	Harney
Beatty	Douglas	Holmes
(Wellington-	Drury	Howard
Grey-Dufferin-	Dubé	Hymmen
Waterloo)	Dupont	Jamieson
Bégin (Miss)	Ethier	Knight
Blackburn	Fairweather	Knowles
Blais	Faulkner	(Winnipeg
Boulanger	Firth	North Centre)
Breau	Fleming	Lachance
Brewin	Foster	Lalonde
Broadbent	Fox	Lang
Buchanan	Fraser	Laniel
Cafik	Gauthier	Leblanc
Chrétien	(Ottawa East)	(Laurier)
Clark	Gendron	LeBlanc
(Rocky Mountain)	Gilbert	(Westmorland-
Corbin	Gleave	Kent)
Corriveau	Goyer	Lefebvre