

that is his proposition, and it is not in accordance with good British principles and precedents. In view of his opinion, and that of some of those who surround him, who desire to do everything possible to forward the position of one of his party in the other house—

Hon. Mr. Horner: Oh, no!

Hon. Mr. Haig: No. No.

Hon. Mr. Roebuck: My friend has imputed to me the motive that I come from the city of Toronto and desire to defend an industry of that city. That, by the way, is a laudable desire, and not otherwise. I am therefore free, I think, to define the reasons for my friend's action, in somewhat the same way that he has defined the reasons for my attitude. However, we will drop that phase of the discussion.

The position of the leader opposite is that he wants a person to be subject to criminal prosecution for doing something that he did not know he was doing.

I think the argument applies to some extent at least to the publisher of crime comics; but he is in a position to know what he is doing, and if he is vigilant he can read the articles in the quiet of his own office and determine whether or not they contravene the law.

I am perfectly satisfied that the teeth to which the leader opposite has referred shall remain in the bill as drafted, but I do not want this law to be like a mad dog which is running around biting everybody in my friend's province as well as in mine. Under this bill, every distributor who had sent to him a bundle of these magazines several feet high, would be required to read them all through to determine whether or not there was anything in them which contravened the provisions of the bill. That is ridiculous, or it is something which he cannot possibly do. It is an injustice to put that responsibility on his shoulders, and it is a greater injustice to hold him criminally liable for failing to discharge that responsibility.

If the bill is amended as I propose, it will still have the same teeth it had as originally drafted, but it will not victimize every little retailer in the country who happens to be selling the article.

My friend the leader opposite says that this bill has been approved by teachers and other good people of this country. I have no doubt that they have approved it in principle, as I do. But members of the teachers' association and the ministerial associations are not members of this house, and did not draft the bill. Certainly I have no desire that

the young people of this country be demoralized through the reading of bad literature. We are all agreed on the general principle of the bill, but we are under no obligation to follow the words of the measure as drafted; indeed, there is a personal responsibility on each of us to discharge that obligation in the way that we see wise and fit. We should not take anything handed to us on a spoon and meekly swallow it.

My proposed amendment to paragraph (b) of section 207 (1), places the responsibility upon the shoulders of those who print and publish crime comics. Is that not enough? My friend says it is difficult to enforce legislation of this kind. I know it is, but do my proposed amendments make it any more difficult to obtain a conviction? I have confined the responsibility to the publishers, of whom there are not more than a half a dozen in Canada. As soon as anyone buys a copy of a comic publication he can quickly trace it back, through the distributor, to the producer.

Hon. Mr. Haig: Where are these manufacturers now located?

Hon. Mr. Roebuck: I am not certain about all of them. I know that several are in the city of Toronto. I am sorry that one at least is not located in Winnipeg so that my friend would be on my side.

Hon. Mr. Haig: Please do not engage in that type of discussion.

If a crime comic publication is distributed in Manitoba, what can the Attorney-General of that province do to a distributor who may live in Ontario?

Hon. Mr. Roebuck: He can ask the Attorney-General of Ontario to institute a prosecution.

Hon. Mr. Haig: If the Attorney-General for Ontario says he does not know about such a publication, what then happens?

Hon. Mr. Roebuck: The Attorney-General of Manitoba can send somebody to Ontario to institute a prosecution.

Hon. Mr. Haig: There is no control.

Hon. Mr. Roebuck: The senator who is chairman of this Committee of the Whole asked whether any citizen could institute a criminal prosecution such as envisaged by this bill? The answer is that he can, in the same way that he may lay a charge for any other infraction of the Criminal Code. All a private citizen has to do in order to institute a prosecution is to go before a magistrate and lay an information.

Hon. Mr. Haig: But suppose the Attorney-General refuses to prosecute, what happens then?