

ago. At that time mail robberies were grave incidents which were still lingering in the minds of people on the north American continent. The offence of thieving from the mails could be anything from what is done—even done at the present time—by way of abstracting a few stamps, a dollar bill or some other small item from a letter, to the old-time mail robbery. The provision here may appear to be out of line, but as hon. members know, the maximum penalty for robbery is life, and that sentence may be accompanied by lashes. This is only a possible life sentence.

Mr. HANSON (York-Sunbury): This is a relic of the old days.

Mr. ST. LAURENT: I think our whole criminal code is a relic of the ten commandments, expanded to different degrees. I think the removal of any minimum will permit satisfactory administration of justice for the time being. There is no doubt that there are sections of the code where there is not a proper balance between the penalties provided. When the parliamentary committee, to which both the hon. member for Lake Centre and myself are looking forward, is established it can go over the whole situation. There is no doubt that a serious effort will be made to have a more uniform scale of penalties throughout the code, but it was felt in the department that for the time being we should merely suggest such amendments as are required for immediate application.

The removal of this minimum is something required for immediate application and the increasing of the severity of the penalty in the other section is of immediate application. We were dealing with things which it was felt in the department should go into force at once. We were not looking forward to bringing about piecemeal a more perfect general instrument to deal with those unfortunates who fall by the wayside and stray from the straight and narrow path.

Mr. HANSON (York-Sunbury): It seems to me that what the minister has just said in his closing sentences is that the Department of Justice is recommending an expedient to parliament to serve a situation which has arisen at the moment and which requires attention. I am not going to quarrel with that, but I do say that the ameliorating of the minimum sentence is entirely out of balance with the retention of the life imprisonment in the early part of section 364 of the criminal code. Having regard to the lack of balance between what he is doing, on the one hand, and what is being suggested by the hon. member for Essex East, on the other, the

minister ought to give consideration to this matter. It seems to me that the two things are incompatible; they are out of balance.

Mr. KINLEY: You are taking away from the one side.

Mr. HANSON (York-Sunbury): As the hon. member for Queens-Lunenburg says, you are taking away on the one side and you are retaining an inflexible provision or scale of punishment on the other.

Mr. ST. LAURENT: Not inflexible.

Mr. HANSON (York-Sunbury): It is not exactly inflexible, but the minister is maintaining a tremendously high penalty for what after all, as he himself suggests, may be a minor offence. I am not going to labour the point. This has been recommended by other hon. members and I do think the minister might well withdraw the bill and give the matter some consideration for another day. I do not want to hold up the bill. The minister should give us some explanation as to why the penalty is being raised in the next section.

Mr. ST. LAURENT: I will do that when we reach the section.

Mr. HANSON (York-Sunbury): I make that suggestion in the utmost good faith. I have been impressed by the argument made by the hon. member for Essex East. I should have made it myself, and I really had it marked down. The two things seem to be out of line. We are relieving on the one hand, but we are not relieving the maximum on the other.

Mr. ST. LAURENT: The unbalanced position might be looked upon as important in this section, but if the hon. member will turn to section 358 he will find provision for a penalty of fourteen years for simple theft. If we are to have a balanced scale we shall have to go through the whole code. That is something that should be done at a relatively early day, and I am hopeful that whoever sits in this seat when the war is over will consider the suggestion which has been advanced this afternoon as to the manner of doing it as the right way to go about it. I hope that both my hon. friend and myself will have occasion to practise before the courts when a code so improved is being applied. The fact that the maximum remains will not create any immediate difficulty in the administration of justice.

Mr. HANSON (York-Sunbury): It is theoretical.