

AFTERNOON SITTING

The Committee met at 3.30 o'clock p.m. The Chairman, Mr. Don. F. Brown, presided.

Members present: Messrs. Brown (*Essex West*), Browne (*St. John's West*), Cameron, Crestohl, Gauthier (*Lac St. Jean*), Garson, Huffman, MacInnis, MacNaught, Macnaughton, Montgomery, Noseworthy, Robichaud and Shaw.

In attendance: Mr. A. A. Moffat, Q.C.; and Mr. A. J. MacLeod, Senior Advisory Counsel, Department of Justice.

The Committee resumed from the morning sitting clause by clause consideration of Bill 93 (Letter O of the Senate) An Act respecting the Criminal Law, with particular regard to the remaining clauses of the Bill stood over from previous sittings.

Clauses 16, 179 and 206 were passed.

On Clause 641:

On motion of Mr. Robichaud,

Resolved: That the said clause be amended by

(a) deleting thereof subclause (3) and substituting therefor the following:

Supervision

(3) A sentence of whipping shall be executed under the supervision of the prison doctor or, if he is unable to be present, it shall be executed under the supervision of a duly qualified medical practitioner to be named by the Attorney General of Canada, where the sentence is executed in a prison administered by the Government of Canada, or, where the sentence is executed in a prison administered by the government of a province, to be named by the Attorney General of that province.

Instrument to be used

(4) The instrument to be used in the execution of a sentence of whipping shall be a cat-o'-nine tails, unless some other instrument is specified in the sentence.

When to be used

(5) A sentence of whipping shall be executed at a time to be fixed by the keeper of the prison in which it is to be executed, but, whenever practicable, a sentence of whipping shall be executed not less than ten days before the expiration of any term of imprisonment to which the convicted person has been sentenced.

and

(b) that the present subclause (4) be renumbered as subclause (6).

Clause 641, as amended, was passed.

Clause 642 was passed.

On Clause 9, as amended:

On motion of Mr. Montgomery,

Resolved: That the new Clause 9 adopted on April 23rd be deleted and the following substituted therefor: