

to make sure that the hon. member for Bow River and I are ad idem on that point.

Mr. Woolliams: Now we have come to grips with each other on our understanding of the law. Does the Solicitor General not think that by failing to cover this situation in the bill he is increasing the difficulty of the police? I believe we are going to reduce the moral standards of this country to the level of those in the United States where they allow citizens to be killed on the streets of New York without anyone coming to their assistance. If I as a citizen realize that I must take the responsibility of a policeman and exercise his jurisdiction and yet I do not have the protection under this bill that a policeman has, then surely the citizen is being asked to do more than the policeman is expected to do.

What is going to happen? A citizen is going to say: Well, parliament legislated to protect the policeman but they are not going to protect me so the policemen are on their own. This is the reason behind it. Once again, before I move my amendment, I ask the Solicitor General to allow the clause to stand. I have consulted some lawyers over here and I believe the amendment is good. I think I have been asked this afternoon to do something that is beyond the capabilities of anyone. The Solicitor General is now talking to the Secretary of State for External Affairs who is the Acting Prime Minister. I appeal to you, sir, to allow this clause to stand, take a look at it and bring it back after supper. I will take a look at it and then I can move my amendment. You can get your experts to look at it and if you go along with my argument, then you move an amendment. Surely that is not unreasonable. I ask the Acting Prime Minister to discuss it. Surely it is his responsibility to ask that this clause be allowed to stand until after supper. I can only promise one thing, I can guarantee that hon. members over here will give you every bit of co-operation.

We have had the vote on second reading and those who were opposed to the bill voted against it. Surely on this important matter the minister will reconsider, allow the clause to stand and give us time to bring in a proper amendment. You will have time to discuss it with your colleagues. Is two hours too much to ask for?

Mr. Pennell: The hon. member has put his case with considerable force and feeling. I am prepared to suggest that we stand his proposed amendment for a moment and I

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will entertain any other amendments that may come forward. Then we will come back to the amendment suggested by the hon. member.

Mr. Cowan: As the one who first brought up this question of a civilian being impressed to aid a policeman, I want to thank the hon. member for Bow River for having presented the case so eloquently. I support every word he uttered. I now wish to bring up a question for the Solicitor General along the same lines. I referred to this matter the other day. There was a bank holdup at Downsview by a man named Smith. There was a customer in the bank by the name of Blanc. When Smith left the bank to go to his car in an effort to escape, the customer Blanc took a rifle or pistol from the bank accountant and went outside. He shot two or three times at this chap Smith.

Smith then got out of the car with a rifle and blew off the top of Blanc's head while Blanc was down on one knee shooting at him. By the time the policemen got there Blanc was dead. Blanc was not assisting any policeman; no policeman had asked him to assist him. Blanc was trying to preserve peace and order. Smith was caught and convicted of murder but a merciful cabinet commuted his sentence to life imprisonment. He later committed suicide in prison and cheated the cabinet of its great desire to rehabilitate him into a gentleman.

• (5:30 p.m.)

My contention is that the family of the victim is entitled to some protection. Why should the law make a distinction because the man is a civilian, not a policeman? Why should the penalty be life imprisonment whereas if the man had shot a policeman he would be executed?

The hon. member for Peace River put his finger on this when he pointed out there is a basic law that if a civilian sees a criminal act being performed he should move to prevent it. Blanc moved to prevent such an act, but under the provisions of this bill the man charged could only be sentenced to life imprisonment. If a policeman had come along and had been shot dead, Blanc would have been executed. Therefore I ask the committee to consider cases of civilians who endeavour to preserve and maintain the public peace without being impressed to do so by the police.

Mr. MacInnis (Cape Breton South): Mr. Chairman, although I still question the