

a meeting of an unlawful association is liable to a penalty of not less than one year's imprisonment. I submit that that might be very unfair; that a man might attend one of those meetings not knowing the character of the meeting—might go on the invitation of some person—and thus become liable to a minimum penalty of one year's imprisonment. I think the maximum penalty of 20 years is all right, but the minimum should be left to the discretion of the court, according to the circumstances.

Hon. Mr. BOSTOCK: I think the proposal of the honourable gentleman is a very good one.

Hon. W. B. ROSS: I do not want to interfere with those penalties, but I think the words "one year" are objectionable, because there are clauses in the Criminal Code that provide that where the maximum penalty is stated the matter is left to the judge to work down from that to 24 hours. While there are cases where a judge would grant one year if he thought the offence justified it, I think we should adhere to the principle of stating the maximum, and leaving the judge to exercise his discretion under the Code.

Hon. Sir JAMES LOUGHEED: We will consent to striking out the words, "not less than one year and."

Subsection 3, so amended, was agreed to.

Subsection 4 was agreed to.

Hon. Mr. POWER: The penalty named in subsection 5 seems to me very severe, for renting a meeting-place a fine up to \$5,000 or imprisonment up to five years.

Hon. Sir JAMES LOUGHEED: The penalty is only in case the person knowingly does this. It is merely the maximum fixed. It is left to the discretion of the judge.

Hon. Mr. POWER: I think the maximum is altogether too high. It is not a very serious offence to let a room even for an unlawful association.

Subsection 5 was agreed to.

Hon. Mr. POWER: Referring to subsection 6, while it is right and proper that the judge of a superior or county court or a stipendiary magistrate should have the right to issue a search-warrant, I have grave doubts as to whether any justice of the peace should be authorized to do so. I know that in the province from which I come justices of the peace, as a general rule, are

Hon. Mr. ROBERTSON.

not very good lawyers, and I doubt the wisdom of letting the ordinary justice of the peace issue a search-warrant.

Hon. Sir JAMES LOUGHEED: The seizure of the goods is something that will do no one any harm. It is proposed to seize a class of literature that should be suppressed, and it is not like interfering with the liberty of the subject, or anything of that kind. Furthermore, in many of the more remote districts the judge or the stipendiary magistrate is not available.

Hon. Mr. POWER: It would be all very well to issue a search-warrant if the grounds would be looked at by a judge of any weight as proving that something was wrong; but it can be imagined that the ordinary justice of the peace might be influenced, in issuing his warrant, by some enmity to the person whose premises were to be searched.

Subsections 6 and 7 were agreed to.

On new section 97B—publishing, etc. seditious books, etc.:

Hon. Sir JAMES LOUGHEED: I move to strike out, in subsections 1, 2 and 3, the words, "not less than one year and."

Hon. Mr. BOSTOCK: Would this section deal with papers coming in from another country?

Hon. Sir JAMES LOUGHEED: The Post Office Act makes every provision for that.

Subsections 1, 2 and 3 were agreed to.

Hon. Sir JAMES LOUGHEED: I move to amend subsection 4 by adding at line 45 after the words "Dominion Police," the words "or by the Commissioner of the Royal Northwest Mounted Police."

Subsection 4, so amended, was agreed to.

On section 2—carrying concealed weapons without a permit, an offence:

Hon. Sir JAMES LOUGHEED: It is now proposed to make it an offence to carry a concealed weapon concealed. The law now makes it an offence to carry concealed weapons, but it is alleged that criminals now carry the weapons in bags and not on their persons. The second paragraph is to prevent aliens from carrying weapons without permits.

Hon. Mr. POWER: How will this affect a sportsmen's permit?

Hon. W. B. ROSS: He will get a licence.

Section 2 was agreed to.