

Hon. George H. Barbour: Honourable senators, first I wish to commend the young representative of Kamloops in another house upon introducing this bill into parliament. The bill first presented was, I have been told, a private bill, and while it met with approval of the whole house, there was not time to pass it before the session ended. Then it was amended to give it some teeth and was brought in this session as a public bill. It is the teeth that are causing some trouble, for sellers and distributors of crime comics were not affected by the original bill, but are liable under this one.

The Senate of course has a perfect right to examine the bill and pass whatever judgment it wishes upon it, but I believe the bill will be approved by the best people throughout the country. I come to this chamber from a provincial legislature where all public bills were considered in Committee of the Whole. I am not a member of the Senate's Banking and Commerce Committee, but I have frequently taken the opportunity to attend its sittings and listen to the discussions on bills. I was present at this morning's meeting, which lasted from 10.30 until 1.30. From actual count I know that during most of the meeting thirty members were present, and off and on the attendance was larger. I doubt if an abler committee of lawyers and laymen could be assembled, even if you went all across the country to choose its members. At this morning's meeting the honourable senator from Toronto-Trinity (Hon. Mr. Roebuck) presented his amendment.

Hon. Mr. Roebuck: No, not the amendment I am making now.

Hon. Mr. Barbour: A similar amendment.

Hon. Mr. Roebuck: It was not even similar.

Hon. Mr. Barbour: At any rate, the committee did not approve of the amendment. I believe that the people responsible for training the youth of our country are asking for such a measure as this, and I shall be glad to support the bill.

Hon. Mr. Davies: Mr. Speaker, I wish to ask whether it is in order to discuss the amendment now or not.

The Hon. the Speaker: It is not proper to discuss the amendment until it has been moved.

CONSIDERED IN COMMITTEE

Hon. Mr. Roebuck moved that the bill be not now read a third time, but that it be committed forthwith to the Committee of the Whole.

The Hon. the Speaker: Honourable senators, is it your pleasure to adopt the amendment of Honourable Mr. Roebuck?

Some Hon. Senators: Carried.

Some Hon. Senators: No.

The Hon. the Speaker: Those in favour of the motion of Honourable Senator Roebuck will please say "Content".

Some Hon. Senators: Content.

The Hon. the Speaker: Those opposed will please say "Non-content".

Some Hon. Senators: Non-content.

The Hon. the Speaker: The Contents have it.

The Senate went into committee on the bill.

Hon. Mr. Euler in the Chair.

The Hon. Chairman: The honourable gentleman from Toronto-Trinity (Hon. Mr. Roebuck) moves—

Hon. Mr. Roebuck: Mr. Chairman, may I completely state my motion?

The Hon. Chairman: That would be better.

Hon. Mr. Roebuck: Honourable senators, my amendment is to paragraph (b) of subsection (1) of section 207, and is as follows:

Line 14, after the word "publishes" strike out the words "distributes, sells";

Line 15, after the word "purpose" insert the words "or knowingly distributes or sells".

The section, after amendment, will read as follows:

(b) makes, prints, publishes or has in possession for any such purpose, or knowingly distributes or sells, any crime comic.

As a consequence of this amendment it will be necessary to make a change in subsection 7 of section 207, which now reads:

It shall be no defence to a charge under subsection one that the accused was ignorant of the nature or presence of the matter, picture, model, crime comic or other thing.

My amendment to that subsection is as follows:

Line 14, after the word "one" insert the words "for making, printing, or publishing any crime comic."

The section as amended would read as follows:

It shall be no defence to a charge under subsection one for making, printing or publishing any crime comic that the accused was ignorant of the nature or presence of the matter, picture, model, crime comic or other thing.

My friend the leader opposite (Hon. Mr. Haig), complains about my statement that some retailer or distributor of these articles will be required to know that he has broken the law before he may be convicted and sent to jail for two years. My friend's proposition to this house is that it is all right to arrest a man for doing something that he did not know he was doing. In plain terms,