

WITNESS: You are taking a criminal case by way of illustration under Defence of Canada Regulations. Of course, you would prosecute a man that struck Mr. Sandwell or anybody else, and if you found he was engaged in such an intent for any purpose you would put him in jail for a long long time. That is criminal law.

BY MR. DUPUIS:

Q. But there is the small offence leading to the larger one or by which the larger one was discovered. A. Yes.

Q. I understand that in 1939 this committee decided that the Minister of Justice should ban the communist party because of their subversive activities against the war effort, and this led the R.C.M.P. to discover something worse in their literature, their secret programmes and agenda, and because they have discovered that, according to your views, we should pass over that and just consider their past activities in the war effort which have changed since 1941?

A. Well, all I can say is it is a mistake in my judgment to confuse criminal law with these regulations. There is a prohibition in the code against conspiracy, to overthrow the state by force, and so on, and I am not asking that you change that or that anybody who is found guilty of that be not sent to jail. I say decidedly he should be sent to jail and given a long term. These men are dangerous. You have not done that.

Q. That means we should have to wait until the crime has been committed. A. I do not think so.

THE ACTING CHAIRMAN: Gentlemen, we are long past our adjournment hour. I think we should let Mr. Roebuck finish as there is another gentleman who wants to come on and give some evidence, and if we are going to complete this case this morning we shall have to get along. It is impossible to sit this afternoon.