

and the promise to repeal were only means to an end—an electoral end—and now we are given this repeal and this restoration, which are perhaps as fine a piece of political comedy as this century has seen.

Hon. Mr. DANDURAND: I shall not travel over the ground which has been covered by my right honourable friend. I shall simply ask the members of the Senate to read section 98 in order to understand how it came about that all the labour organizations in Canada—and I could name many—felt that their freedom was threatened.

Right Hon. Mr. MEIGHEN: They abandoned that hallucination.

Hon. Mr. DANDURAND: My right honourable friend admits that the common law as embodied in our Criminal Code contains all the powers of section 98. That is what the Minister of Justice has been contending for the last ten years; that section 98 was a special law made to meet special circumstances, and arose out of a threat of rebellion or general strike in Winnipeg, and that it was time we returned to normalcy. My right honourable friend says that all the power contained in section 98 is in the criminal law, and will be there to-morrow. We are in agreement.

Hon. J. T. HAIG: Honourable members, I should like to ask the honourable leader of the Government to tell us just why, from a legal standpoint, section 4 was put into this Bill? I suggest to him that by reason of the amendment of section 133 of the Code it will be as easy as it was before to convict of seditious conspiracy any person who belongs to an association. It will be just as easy as, if not easier than, it was under section 98.

Right Hon. Mr. GRAHAM: We are all through with section 98.

Hon. Mr. HAIG: No, we are not. Surely the right honourable gentleman from Eganville (Right Hon. Mr. Graham) will allow me to say a word or two on a subject that I think I know a little about.

Right Hon. Mr. GRAHAM: I could not stop you if I tried.

Hon. Mr. HAIG: I do not think it is fair from an old parliamentarian to try to prevent me from speaking, just because I am a greenhorn or a new member.

Right Hon. Mr. GRAHAM: I could not prevent you from speaking if I tried.

Hon. Mr. HAIG: You tried. I do not think it is fair that when a new member gets up to speak on a subject another member should try to stop him.

Right Hon. Mr. GRAHAM: I did not.

Hon. Mr. HAIG: Then I misunderstood the right honourable gentleman.

Right Hon. Mr. GRAHAM: You know an Irishman must speak out once in a while.

Hon. Mr. BALLANTYNE: Go ahead.

Right Hon. Mr. GRAHAM: Yes. Go ahead.

Hon. Mr. HAIG: The leader of the Government says this section came into being because of the Winnipeg strike. Those of us who live in Winnipeg know that the strike had nothing to do with the War at all. The War was all over; the peace was signed. Let me tell you what happened. Because of a dispute in certain industries all working persons in Winnipeg went on strike and took over control. Our bread wagons and milk wagons carried a sign, "Permitted to distribute by the consent of the Strike Committee." I ask the leader of the House what he would say if he had at home two, three, four or more children, and the only way in which he could get milk for them was to obtain it three or four miles away. There was a revolution, and the question arose whether under the criminal law of that time the Government authorities had any right to prevent the overthrow of the government of the city of Winnipeg by force. Section 98 was passed to meet that situation. The prosecution of Tim Buck, and the Toronto cases, are the only ones I know of that have occurred under the section. True, certain labour leaders were affected by it in 1919 and 1920.

Under section 4 of this Bill you make the law more comprehensive than it was before, because here you say intention is presumed against the accused. I cannot see why the members of the Government suggested to us last fall that they were going to repeal section 98. If that was their intention, why this section 4? Why did they not tell the people it was going in? I ask the leader of the Government to tell me anything the authorities could do under section 98 that they will not be able to do under this section. My honourable friend says that all that is contained in section 98 was contained in the law prior to section 98 being passed. I will not enter into an argument on that. Section 98 made it a crime for anyone to be a member of an association whose purpose was the overthrow of government by force. It was under that section that Tim Buck was con-