

the purpose of controlling sport. Of course, the contestants must be amateur sportsmen.

To save time, I will deal with the other sections as well.

By section 2 a person is guilty of an indictable offence if he signs a document purporting to be an affidavit or statutory declaration as having been sworn or declared before him, when it was not so sworn or declared.

Section 3 is a pretty stringent provision, to which I think honourable senators should give very close attention. It makes wider the description of the practice—prohibited already under the Code—of immorality in a house where a child resides. Conviction for the offence is made more certain by the irrebuttable presumption that the child was in danger of becoming demoralized. Personally I do not see any reason in saying a man shall not do something that may have the effect of demoralizing a child in the same house, and at the same time saying it is an irrebuttable presumption that he is demoralizing the child. I suppose one can only complain that the drafting is clumsy.

The other amendments to the section are consequential. "Child" is defined as a boy or girl apparently or actually under the age of sixteen years. That also seems to me pretty dangerous verbiage.

Section 4 makes what was an offence if the objects described were found adrift or cast ashore, still an offence if those objects are found "lying upon or imbedded in the bed or bottom" of a stream.

Section 5 makes it an indictable offence—and no doubt it should be made a serious offence—to inject or throw into any theatre, church, public hall or other place of usual resort any offensive volatile substance, commonly known as a stench bomb, which causes discomfort to persons or damage to property.

Section 6 defines the class of judges who in the Province of Ontario can try the cases referred to in section 749 of the Code.

The next section amends the French version. The amendment is so simple that no explanation is needed.

Section 8 enlarges the scope of the offence of obtaining money by false pretences as defined in paragraph a of section 773 of the Code. This amendment raises from \$10 to \$25 the maximum estimated value of the property stolen.

Section 9 defines the jurisdiction of police and stipendiary magistrates within certain geographical limits of certain provinces, bringing the application of the power of these magistrates into conformity with what I understand is the desire of those provinces.

Right Hon. Mr. MEIGHEN.

Section 10 is a consequential amendment relating to section 8.

Section 11 defines the jurisdiction of certain magistrates in respect of certain groups of offences as defined in section 777 of the Code.

These are more or less technical amendments.

Section 12, however, makes a substantial amendment, in that it adds Quebec to the list of those provinces where grand juries are no longer essential.

Section 13 provides how charges may be laid in Manitoba, Saskatchewan, Alberta and British Columbia in respect of offences under section 873 of the Code.

Similarly, section 14 provides how such charges may be laid in the Province of Quebec.

Section 15 provides that prosecutions already commenced in the Province of Quebec may be carried on notwithstanding the amendments to the Code in respect of grand juries.

Section 16, relating to an appeal by a convicted person, amends subsection 2 of section 1019 of the Code by the addition of the underlined words. It now reads:

—the time during which such person is detained in gaol or other place of confinement pending the determination of an appeal by him shall not count as part of any term of imprisonment under his sentence.

Section 17 contains a very important amendment. It abolishes appeals to the Privy Council in respect of convictions for crime. Such an amendment was passed once before, but inasmuch as it was held to be an attempted exercise of extra-territorial jurisdiction, it became non-effective. By virtue of the passing of the Statute of Westminster it now is within the power of the Parliament of Canada to exercise this jurisdiction, and consequently the section is re-enacted.

The last section merely provides when the Act shall come into force.

Section 1 was agreed to.

Section 2 was agreed to.

Section 3, new subsection 2 of section 215, was agreed to.

On new subsection 3—irrebuttable presumption:

Hon. Mr. McMEANS: Would it not be better to go the full length and make adultery a crime, as it is in several States of the Union?

Hon. Mr. DANDURAND: Subsection 2 reads, "Every person who, in the home of a child, participates in adultery," and so on. Would that cover the case of a woman who has left her husband and is living with another man and bears children to him?