

that something will be done with regard to level crossings as well, and that this is only the start of modern legislation to help check the great loss of life on our highways throughout Canada.

Mr. ROSS: It seems to me the punishment in regard to these cases is hardly correct. A man who has been convicted once should not be given an opportunity to offend again; I do not think he should be given a licence after the first offence.

Mr. GUTHRIE: That would be a matter for the provinces.

Mr. ROSS: Quite so. I do not agree with the remarks of the hon. member for Lisgar (Mr. Brown); so far as I know the tests are the opposite of what he indicated. A person is first stimulated; then when the depression begins it always takes effect upon those centres which are the latest developed; that is, speech is one of the latest. First the speech is stimulated; then the speech is one of the first faculties to become depressed.

There is one point that has not been dealt with, and that is a definition of just what "under the influence of a narcotic" means. You can easily detect whether or not a man has been using alcohol, whether it is his first or his hundredth drink, but the question of narcotics is a very dangerous matter. A man may have an ordinary dose of a narcotic and suddenly, without any fault on his part, he may become numb and depressed and unable to exercise his mental faculties. I think it would be a very dangerous thing, under this provision, to rule that imprisonment should be the punishment. It is not the same thing as intoxication; there is an absolutely normal dose of a narcotic which will affect different people in different ways. The same may be said about alcohol, but it is a fact that under certain conditions a moderate dose of a narcotic administered even by a doctor may have a very depressing effect upon the man and may cause an accident. It would be very severe to punish a man for something for which he was not responsible. I think every doctor in this house will agree that a dose of a narcotic may have a peculiar effect upon even an ordinary normal man or patient, and that a normal dose may bring about a very abnormal result. I do not say anything in favour of intoxication but I do think it is rather dangerous to sentence a man to imprisonment when suffering from a condition such as I have mentioned.

Section agreed to.

92582-201

On section 3—Making untrue or misleading statements to procure a passport.

Mr. ELLIOTT: I wonder if I might say a word with regard to section 1, which was passed before I noticed that it was the clause to which I intended to object on the ground that it is another case of delegating to somebody the power to make what is practically a new section of the criminal code. Section 1 provides:

The Minister of Agriculture may make regulations with respect to the carrying out of the provisions of subsection two of this section, and may, by such regulations, impose such penalties, not exceeding in any one case five hundred dollars, for any violation of any such regulations, as he deems necessary for ensuring the observance of the same.

This delegates to the Minister of Agriculture the right to make regulations, without any limitation in this section as to what the regulations may be, the penalty for the violation of any of which may be \$500. That is bad legislation, and protest has been made against it before. It is very similar to the clause in the weights and measures legislation to which objection was taken last night. I would suggest to the Minister of Justice that a carte blanche of that kind should not be given to anybody. I should like to hear the minister on the point.

Mr. GUTHRIE: It has been done so often that I believe we might venture once more to do it. It was done by the government in which my hon. friend was a minister, and it has been done by previous Liberal and Conservative administrations. Section 235 of the act already allows the Minister of Agriculture to prescribe certain penalties in connection with pari mutuel betting. This is rather to extend his power.

Mr. ELLIOTT: That is worse.

Mr. GUTHRIE: I believe some one in authority ought to be in a position to regulate these matters and to prescribe penalties. It is not going beyond what we have done in other cases; whether or not the principle is sound I am not prepared to say.

Mr. ELLIOTT: When we are getting up to a penalty as high as \$500 this house should name the offence for which that penalty is indicated.

Mr. GUTHRIE: It is a fact in connection with illegal betting and pool selling.

Mr. ELLIOTT: But we do not know what the offence is, and some one may be compelled to pay a fine of \$500. Surely that is not good legislation.