

Criminal Code Amendment

children's aid societies and similar organizations throughout Canada. They are not very important amendments, but the societies are anxious that they be carried into the act.

Section agreed to.

Sections 2 and 3 agreed to.

Title agreed to.

Bill reported, read the third time and passed.

CRIMINAL CODE AMENDMENT

Hon. HUGH GUTHRIE (Minister of Justice) moved the second reading of Bill No. 107 to amend the criminal code.

Motion agreed to, bill read the second time and the house went into committee thereon, Mr. Morand in the chair.

On section 1—Irrebuttable presumption.

Mr. GRAY: This clause apparently adds at the beginning of subsection 3 the words "it shall be an irrebuttable presumption." I think the house is always loath to add sections to the criminal code or to any statute providing for an "irrebuttable presumption," unless there is very good reason for doing so.

Mr. GUTHRIE: This is another amendment requested by the children's aid societies of Canada. The words we propose to add to the section now in the criminal code are as follows:

It shall be an irrebuttable presumption in any prosecution under subsection 2 of this section, that the child was in danger of being or becoming immoral, its morals injuriously affected and its home rendered an unfit place for it to be in, upon proof that the person accused did in fact, in the home of such child, participate in adultery, in sexual immorality, in habitual drunkenness or in any other form of vice.

We have to prove, first, that the act was committed, and the irrebuttable presumption is that the child was thereby affected. Then there is this saving clause:

Provided that this subsection shall not apply in the case of two persons who are not married to each other but are living together as man and wife and reputed to be man and wife, and where the child so affected is the child of the two persons so living together.

Mr. GRAY: Is this clause added because of some adverse decision?

Mr. GUTHRIE: Yes, it arises from the complaint of children's aid societies about the section as it now stands, which is printed in the explanatory notes. That section is as follows:

In any prosecution under subsection 2 of this section, where the circumstances are such, as in the opinion of the court, to render it likely—

[Mr. Guthrie.]

And so on. That is the present section. The section would now read that in the event of immorality being proved there must be an irrebuttable presumption that the child was thereby affected.

Section agreed to.

Section 2 agreed to.

Bill reported, read the third time and passed.

LOAN OF \$750,000,000

RESOLUTION AUTHORIZING MINISTER OF FINANCE TO RAISE FUNDS FOR REDEMPTION OF SECURITIES

Right Hon. Sir GEORGE PERLEY (for the Minister of Finance) moved the second reading of Bill No. 110, to authorize the raising, by way of loan, of certain sums of money for the public service.

Motion agreed to, bill read the second time, and the house went into committee thereon, Mr. Morand in the chair.

On section 1—Short title.

Mr. MACKENZIE (Vancouver): Mr. Chairman, I am reminded that the Minister of Finance promised certain information to the house on second reading. Perhaps the minister would give us that information later.

Sir GEORGE PERLEY: I shall attend to that, and try to get the information.

Mr. MACKENZIE (Vancouver): When the estimates are under consideration?

Sir GEORGE PERLEY: Yes.

Section agreed to.

Sections 2 and 3 agreed to.

Bill reported, read the third time and passed.

On motion of Mr. Bennett the house adjourned at 10.50 p.m.

Wednesday, June 19, 1935

The house met at three o'clock.

NATIONAL RESEARCH COUNCIL

CORRESPONDENCE RESPECTING RETIREMENT OF DOCTOR H. M. TORY AS CHAIRMAN, TABLED

Hon. R. B. HANSON (Minister of Trade and Commerce): I desire to table correspondence moved for by the hon. member for South Perth (Mr. Sanderson) on the 17th instant respecting the retirement of Doctor H. M. Tory as head of the national research council. I should like to say that in a letter to me dated March 7, Doctor Tory made cer-