

I do not think I need to go into that further, for I hope I have explained it sufficiently.

Coming now to section 3, there is an amendment to section 4 of the old act; that is the section that has caused some confusion and concern, inasmuch as it adds an additional subsection in these words:

In any prosecution for an offence under this Act, the act or omission complained of, in respect of which the prosecution was instituted, shall, unless the accused proves the contrary, be deemed to relate to the marketing of an agricultural product in interprovincial and export trade.

That has been studied by a great many legal authorities in Canada—for instance, the legal authority of the Canadian Federation of Agriculture, the legal authorities of all provincial boards and, I believe, most of the provincial Attorneys General. An opinion has been given by the Attorney General of Ontario to the effect that that is the only workable manner in which the section could be worded.

Hon. Mr. Hugessen: May I interrupt the honourable senator? I think I am right in saying that section 3 was amended late last night in the House of Commons, on motion by the minister, and I do not think it reads now exactly as the honourable senator read it.

Hon. Mr. Taylor (Westmorland): Honourable senators, I am sorry I have not the amendments here, but I think I can state them to you, briefly.

Hon. Mr. Macdonald: May I suggest to the honourable senator that we might rise now until 3 o'clock this afternoon?

The Senate adjourned until 3 p.m.

At 3 p.m. the sitting was resumed.

SENATE CHAMBER

PRESENCE OF STRANGERS DURING LUNCHEON RECESS

Hon. W. Ross Macdonald: Honourable senators, before we commence our proceedings this afternoon I should like to report to the house that it was brought to my attention a few minutes ago that during the luncheon recess, and while the Mace was on the Table, a number of persons came into the Senate lobby, passed the bar at the south entrance to the chamber and came on to the floor of this house. That, of course, should not have been allowed.

Directions should be given to the officers of this house that when the house is in session, and even while it is in recess, no one except senators and officials should be allowed

to come on to the floor of the chamber. I believe we should go further and direct that even at other times no one apart from senators and officials should be allowed on the floor of the chamber, without the permission of His Honour the Speaker or the Clerk of the Senate.

This chamber is not open to the public to come in at any time and sit in our seats.

Hon. Mr. Davies: I wondered where the cigarette butt on my desk came from.

Hon. Mr. Macdonald: I have been told that some persons were smoking. That, of course, should not be allowed in the chamber at any time.

I felt, honourable senators, that this matter should be brought to the attention of the house.

Hon. Mr. Connolly (Ottawa West): Should any other action than that suggested by the honourable leader be taken?

Hon. Mr. Macdonald: I have taken the action of reporting it to the house, and of suggesting that, in future no one who is not a member of the chamber or an official should be allowed to come on to the floor without the permission of His Honour the Speaker or the Clerk of the House, particularly when the Mace is on the Table.

The Hon. the Speaker: Honourable senators, I will take steps to ensure that the appropriate officials are advised accordingly.

AGRICULTURAL PRODUCTS MARKETING BILL

SECOND READING

The Senate resumed debate on the motion of Hon. Mr. Taylor (Westmorland) for the second reading of Bill 403, an Act to amend the Agricultural Products Marketing Act.

Hon. Mr. Taylor (Westmorland): Honourable senators, before the recess I was endeavouring to explain section 3 of the bill. The honourable senator from Inkerman (Hon. Mr. Hugessen) asked a question in connection with an amendment to that section. I now have a copy of the bill as amended in the other house, and I believe honourable senators have copies.

Section 3 has to do with an amendment to section 4 of the present act, which is chapter 6 of the Revised Statutes of Canada, 1952. By the amendment the present section 4 now becomes subsection 1 of section 4, with the exception of three words "Outside the province", which are struck out. Subsection 2 of section 3 of the bill now becomes subsection 2 of section 4. It reads as follows:

In any prosecution for an offence under this Act, the act or omission complained of, in respect of