

Honourable senators, if you vote for the amendment you are making the bill ineffective in nine of the provinces of Canada; if you vote for the bill as it is, you are carrying out the wishes of the people of Canada, the wishes of the Attorneys General of the different provinces and, I am sure, the wishes of the press of this country. The press, which is close to the people and knows what they want, has been unanimously in favour of this bill. That impresses me, and I am going to vote against the amendment and for the bill as it stands.

**Hon. Mr. Doone:** Honourable senators, I am not a member of the Banking and Commerce Committee, and this is the first opportunity I have had to express myself on this bill. My honourable friend from Toronto-Trinity (Hon. Mr. Roebuck) and I must part company on his amendment. I am surprised at anything which might be interpreted as advocacy of the present trends in crime comics. If I had my way this bill would go much further, and would bar entirely any form of obnoxious or salacious literature. Something has been said about British fair play, which embodies a principle in which I believe implicitly. Nevertheless, I am convinced that this bill is good for the youth of our country, for it is my confirmed opinion that as long as we permit the sale and distribution of certain types of literature that are now displayed on our bookstalls there will be a continuance of juvenile delinquency and adolescent crime and a negation of family life as a permanent institution. When we support such a malaise in our moral and intellectual structure we must look forward to a breaking down of our social structure. I am persuaded, honourable senators, that in this matter Canada needs a moral awakening.

In the budget speech which I delivered in the legislature of New Brunswick last year I urged the passing of a statute to bar the distribution in our province of the type of literature against which this bill is aimed, but my purpose was defeated because our provincial courts have no jurisdiction to deal with the matter. I am afraid—in fact, I know—that if this amendment passes, the courts of New Brunswick will still be without jurisdiction in this matter. The senator who preceded me (Hon. Mr. Nicol) hit the nail exactly on the head. If the bill is restricted to a prohibition of manufacturing crime comics, our provincial courts will be powerless to enforce the law because of the fact that the manufacturers will be beyond the courts' jurisdiction.

Honourable senators, I am glad indeed to place myself on record as opposed to the amendment and in favour of the present bill.

**Hon. Mr. Campbell:** Honourable senators, I should like to say a few words about the proposed amendment. I am sure we all agree that the honourable gentleman from Toronto-Trinity (Hon. Mr. Roebuck) is most sincere in moving this amendment; and he has shown that he is an experienced advocate and can present a very strong case.

From the discussion in this chamber, I take it to be generally agreed that it would be desirable to have publication and distribution of the so-called crime comics prohibited. The concern that the honourable gentleman from Toronto-Trinity has shown is not for the publishers but for the distributors of these publications. I listened attentively to what he said, but I feel I cannot support him, for I am not convinced that the bill in its present form would work any great hardship upon anyone.

The proposed subsection (1) of section 207 reads:

Every one is guilty of an indictable offence and liable to two years' imprisonment who

(a) makes, prints, publishes, distributes, circulates, or has in possession for any such purpose any obscene written matter, picture, model or other thing whatsoever; or

(b) makes, prints, publishes, distributes, sells or has in possession for any such purpose, any crime comic.

It may be argued that the publication or distribution of crime comics is not as great an offence as the publication or distribution of obscene literature, but I think the object in making the first part of the subsection applicable to both classes of offence is to provide an effective means of preventing the publication and distribution of crime comics. I have no great fear that persons engaged in the distribution of these publications will be unable to conduct their affairs in such a way as to avoid running into any great difficulty with the law. Many comic papers are of an historical or amusing character, and the publication or distribution of these is not being prohibited.

The honourable gentleman from Toronto-Trinity says that if some crime comics happen to be placed unintentionally in bundles of legal comics and be found in the possession of a distributor, that person may be haled into court. Well, there is, perhaps, a chance of that happening; but I do not think it is serious enough to warrant us in destroying the effectiveness of this measure. I should think that if a distributor did find some banned comics among the material sent to him, he would destroy them or at once return them