

one moment believed the abolitionists' contention that a killer does not fear the death penalty.

● (8:00 p.m.)

To return to the resolution as a whole. It might be supportable were we entering a millenium of Utopia. But this is not Utopia. Neither our political nor our social system is perfect. This is Canada 1966; if we grant too much leniency and liberty within the social system our political system will suffer, and possibly perish. I will not be a party to this. Let the statutes stand as they are, without amendment and as they have been since the amendment of 1961, with provision made for capital and non-capital murder. Let the cabinet do its duty as the people of Canada expect duty to be done in each capital case according to its merits.

From the time of Cain capital crime has been a characteristic of this thinking animal, man. The old testament of the Holy Bible speaks in clear, understandable terms of God's law regarding murder. In the fifth chapter of Genesis, the sixth verse—and I am not afraid to quote it—it is stated: "Who so sheddeth man's blood, by man shall his blood be shed".

Mr. Speaker: Order, please. It being eight o'clock it is my duty, pursuant to special order of Thursday, March 31, 1966, to interrupt these proceedings and put forthwith the question on any amendment now before the house.

Motion of Messrs. Byrne, Nugent, Scott (Danforth) and Stanbury:

Resolved, that it is expedient to introduce a measure to amend the Criminal Code for the purpose of

(a) abolishing the death penalty in respect of all offences under that act;

(b) substituting a mandatory sentence of life imprisonment in those cases where the death penalty is now mandatory; and

(c) providing that no person upon whom a mandatory sentence of life imprisonment is imposed shall be released from imprisonment without the prior approval of the governor in council.

[Translation]

The amendment moved by the hon. member for Roberval (Mr. Gauthier), seconded by the hon. member for Villeneuve (Mr. Caouette), is as follows:

That the motion be amended as follows:

First, by adding after paragraph (a), the following words: 'except for capital murders, as currently defined, committed while a sentence of life imprisonment is served'.

Second, by adding, after paragraph (b), the following words: 'except in the case of a capital murder committed while a person is serving a sentence of life imprisonment'.

Criminal Code

Third, by inserting in paragraph (c) immediately after the word 'imposed', the words 'or with regard to whom a death sentence was commuted'.

● (8:10 p.m.)

[English]

Mr. Speaker: Before we call on hon. members to vote perhaps I should indicate the procedure we propose to follow. I intend to call upon the mover and seconder of the amendment to rise if they wish to vote and then—

Mr. Nielsen: Mr. Speaker, I wonder whether you would read the amendment in English, since I did not catch the translation completely.

Mr. Speaker: Perhaps the Chair should also read the main motion in French.

[Translation]

Messrs. Byrne, Nugent and Scott (Danforth) moved:

Resolved, that it is expedient to introduce a measure to amend the Criminal Code for the purpose of

(a) abolishing the death penalty in respect of all offences under that act;

(b) substituting a mandatory sentence of life imprisonment in those cases where the death penalty is now mandatory; and

(c) providing that no person upon whom a mandatory sentence of life imprisonment is imposed shall be released from imprisonment without the prior approval of the governor in council and on the amendment moved by Mr. Gauthier.

[English]

The amendment moved by Mr. Gauthier, seconded by Mr. Caouette is as follows:

That the motion be amended as follows:

First, by adding after paragraph (a), the following words: 'except for capital murders, as currently defined, committed while a sentence of life imprisonment is served'.

Second, by adding after paragraph (b), the following words: 'except in the case of a capital murder committed while a person is serving a sentence of life imprisonment'.

Third, by inserting in paragraph (c) immediately after the word 'imposed' the words 'or with regard to whom a death sentence was commuted'.

I shall first call upon the mover and seconder to vote for the amendment if they wish, after which I will ask hon. members beginning with the first row to my right who wish to vote in favour of the amendment to rise, and then, as we do in committee, I will call upon the members in the second, third, fourth, and fifth rows in favour to rise. I will then call on those in favour in the first row to my left, to be followed by the second, third, fourth and fifth rows to my