

amendment the committee's report is automatically adopted, and unless someone objects the motion for third reading may then be made.

The Hon. the Speaker: I think the honourable leader of the opposition (Hon. Mr. Haig) is right.

The motion was agreed to, and the bill was read the third time, and passed.

CRIMINAL CODE BILL

REPORT OF COMMITTEE

Hon. Salter A. Hayden presented the report of the Standing Committee on Banking and Commerce on Bill 10, an Act to amend the Criminal Code.

He said: Honourable senators, the committee have, in obedience to the order of reference of December 6, 1949, examined the said bill and now beg leave to report the same without any amendment.

MOTION FOR THIRD READING

The Hon. the Speaker: When shall the bill be read the third time?

Hon. Mr. Hayden: Now.

Hon. Arthur W. Roebuck: Honourable senators, this bill was considered in committee this morning, and the house has now approved of the report of the committee without any amendment. The bill has made rapid progress, with very little representation from those most directly affected. Certain amendments were made to it in the other house on Monday, it came before this house on Wednesday, and we are now asked to pass it and make it law.

The bill contains one very drastic provision to which I should like to draw the attention of the house. It is contained in paragraph (b) of clause 207 (1), which appears on the first page of the bill and reads as follows:

Everyone . . . who

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

Honourable senators will observe that this clause applies not only to manufacturers but also to wholesalers and retail distributors of comic books and other such literature. According to the evidence heard in committee this morning there are in Canada some 10,000 retail outlets for comics, and the number of publications of a similar character is very large. The bill throws upon the shoulders of every manufacturer, distributor, wholesaler and small retailer, equally, the obligation of reading all the material in these magazines, books and periodicals, and of deciding whether or not they are crime comics—which is to a great extent undefined

—and are in a way exercising an evil influence upon the public. This bill would make every small retailer a censor of what the public reads. Further, it would place an absolute responsibility on the retailer, for instance, to examine every page in every magazine which passes through his hands. This is an utter physical impossibility.

The manufacturer is in a somewhat different position. Honourable members will appreciate that all the magazines and periodicals which might be described in the words of this bill as crime comics are manufactured in Canada, and are not imported from the United States. There is a considerable industry in Canada producing these publications. It distributes, we are told, about 40 million books of this kind per year, and employs a large number of people. It is an important industry to this country.

But more important still is the very large number of people who read these books, for they are read not only by the youth of the country, but to a considerable extent by adults. So we are dealing with something which has a serious implication.

I take it that we desire to suppress publications which are vicious and which corrupt morals or lead youth astray, but that we are not anxious to suppress those which have the contrary effect. On those principles, I assume, the house is unanimous. But above all things we have no desire unnecessarily to destroy an industry or to embarrass the retail sellers of these publications. So I suggest that, as the manufacturer is the source of these publications—for he gets from the United States the plates from which he prints them—and as he has ample time and opportunity to inspect the plates or read the early proofs and consider whether their contents contravene the law, it is upon the manufacturer's shoulders that the full burden should rest. Let him be the censor of what, in this particular, Canadians should be allowed to read, and if he fails in his guess let the responsibility be his.

But I do think that we should have some consideration for the retailer, to whom these and other periodicals are shipped in great quantities and not hold him responsible for everything that passes through his hands whether he knows about it or not. Such a course is unnecessary because, as I have said, the government can completely control the source of all these periodicals. I understand that none are brought in from the United States; but if any of the description I have mentioned are imported, they must pass the Customs Department, where a censorship now exists or could soon be arranged for. It