

*On clause 11,*

On motion of Mr. MacInnis,

*Resolved:* That the said clause be deleted.

On motion of Mr. Garson,

*Resolved:* That the Bill be further amended as follows:

(a) That the present subclause (1) of Clause 8 become Clause 8.

(b) That the present subclauses (2), (3) and (4) of Clause 8 become subclauses (1), (2) and (3) of Clause 9.

(c) That the present Clause 9 become Clause 10.

(d) That the present Clause 10 become Clause 11.

At 10.15 o'clock p.m., the Committee adjourned to meet again at 3.30 o'clock p.m., Friday, April 24, 1953.

Room 497,

FRIDAY, April 24, 1953.

The Committee met at 3.30 o'clock p.m. The Chairman, Mr. Don F. Brown, presided.

*Members present:* Messrs. Brown (*Essex West*), Browne (*St. John's West*), Cannon, Gauthier (*Lac St. Jean*), Garson, MacInnis, MacNaught, Montgomery, Noseworthy, Robichaud and Shaw.

*In attendance:* Mr. A. A. Moffat, Q.C., and Mr. A. J. MacLeod, Senior Advisory Counsels, Department of Justice.

The Committee resumed from Thursday, April 23, clause by clause consideration of Bill 93 (Letter O of the Senate) An Act respecting the Criminal Law, with particular regard to such clauses of the Bill as stood over from former sittings.

*On clause 2:*

On motion of Mr. Montgomery,

*Resolved:* That subclause 10 thereof be corrected as follows:

Page 3, lines 7 and 8 should not be indented.

Clause 2, as amended, was passed.

*On clause 116:*

On motion of Mr. Robichaud,

*Resolved:* That the said clause be amended by

(a) deleting subclause (1) thereof and substituting therefor the following:

*Witness giving contradictory evidence.*

116 (1) Every one who, being a witness in a judicial proceeding, gives evidence with respect to any matter of fact or knowledge and who subsequently, in a judicial proceeding, gives evidence that is contrary to his previous evidence is guilty of an indictable offence and is liable to imprisonment for fourteen years, whether or not the prior or the later evidence or either of them is true, but no person shall be convicted under this section unless the court, judge or magistrate, as the case may be, is satisfied beyond a reasonable doubt that the accused, in giving evidence in either of the judicial proceedings, intended to mislead.

and

(b) inserting immediately after subclause (2) thereof a new subclause as follows: