

—unless it is the intention of the house to allow the hon. member to finish his speech.

An hon. Member: One o'clock.

At one o'clock the house took recess.

AFTER RECESS

The house resumed at 2.30 p.m.

The Acting Speaker (Mr. Rinfret): Order. When the house suspended its sitting at one o'clock the hon. member for Elgin had the floor. However, I believe the hon. member for York-Humber has risen in his place.

Mr. Cowan: Mr. Speaker, I rise on a question of privilege.

The Acting Speaker (Mr. Rinfret): The hon. member for York-Humber on a question of privilege.

Mr. Cowan: Mr. Speaker, I am rising on a question of privilege in regard to a matter which does not please me because I hold the Solicitor General in such high regard, always have and always will. But because of a proverb which we all know that error flies around the world while truth is putting on her sandals, I wish to refer to some comments made yesterday during the introduction of this bill. The hon. member for Bow River, as reported on page 4085 of *Hansard*, made this statement:

From April 16, 1963 to September 30, 1967—this was about the time when the offence of murder was divided into capital and non-capital murder—there were 27 convictions in cases of murder but none received the death penalty because the sentences were all commuted.

As reported on page 4086 of *Hansard* the same hon. member also said:

Does the minister mean to tell us that of the 27 accused who have been sentenced, not one has killed a prison guard or police officer?

Following that, as found on the same page the Solicitor General said:

I know of no convicted murderer who has been convicted for murdering a prison guard or policeman.

Mr. Speaker, the Solicitor General is held in such high regard throughout the country and his words carry such weight that they should bear fact. I know he must have made a slip when he gave that answer to the hon. member for Bow River. I have in my hand here a statement indicating that on June 1, 1949—

Amendments Respecting Death Sentence

The Acting Speaker (Mr. Rinfret): May I ask the hon. member for York-Humber to state his question of privilege?

Mr. Cowan: Mr. Speaker, my question of privilege is that the Solicitor General in that respect has failed to remind the hon. member for Bow River that Marcotte, the Santa Claus murderer, killed two policemen, which the Solicitor General must know, that Colpitts killed a prison guard at Dorchester, which the Solicitor General must also know, and that at Winnipeg, Manitoba, a policeman killed two women between 1929 and 1944, the second when he was on parole from a life sentence.

I just wish to point out that there are cases in Canada of murderers killing policemen and murderers killing prison guards who have had their life sentences commuted despite this statement by the Solicitor General which appears on page 4086.

Mr. Pennell: Mr. Speaker, in rising on the question of privilege I wish to thank my long-time and warm friend, the hon. member for York-Humber, for bringing this matter to my attention. He spoke to me just before the house rose for the luncheon adjournment.

• (2:40 p.m.)

After looking at *Hansard* it is clear I should have said that no person previously convicted of murder in Canada and released had murdered a prison guard or policeman. The hon. member read *Hansard* literally and the words are perhaps subject to the interpretation he places on them. I acknowledge that fact. In reading the remarks in context with what I said it is clear that I meant no person previously convicted of murder and subsequently released had murdered a prison guard or a policeman. If I have misled the hon. member or any member of the house I apologize.

Mr. Stafford: Mr. Speaker, my speech on capital punishment, like Gaul, has been divided into three parts. It might well be compared with the most elementary lesson in composition; the introduction, the body and the conclusion.

When the house rose at one o'clock for the noon adjournment I was discussing the principles used in determining the proper penalties for the contravention of new laws as they arise, such as highway traffic and aviation laws which did not exist a century ago. In such cases penalties are fixed which will be the minimum necessary to act as a deterrent. If it is later demonstrated that the