

On section 1—Registration where change of name by marriage.

Mr. FULTON: Will the minister explain this?

Mr. MacKINNON: I may say that the explanatory notes included in this bill are extensive and complete. The eight proposed amendments are of a technical nature. They deal with such matters affecting titles to property as registration of land transfers, lapse of caveats, and limitations on the amounts of land to be included in a certificate of title. New forms are also provided.

The justification and intention of this legislation is to bring the forms and practices concerning land titles in the Yukon and Northwest Territories into conformity with similar legislation in the western provinces. The only new provision in the bill is that restricting the number of lots to be included in one certificate of title. This change is entirely due to the fact that otherwise there would be so many entries on some certificates as to make them unreadable.

The bill also provides that where a woman holding property marries and desires to have the record of her marriage incorporated into the new certificate of title, the registrar is given discretion to decide what evidence he requires in order to grant such a certificate.

The most important provision relates to caveats. Under the present act, a caveat will automatically lapse at the end of three months unless proceedings are under way. By the proposed amendment, the registrar can determine whether a caveat shall be discharged or continued for a definite period.

The changes are suggested in order to simplify the act, assist in its administration and bring its provisions more into line with the practice in the western provinces.

Mr. CASE: I did not quite hear what the minister said in regard to a provision in the bill for the protection of married women.

Mr. MacKINNON: It refers only to the case where a married woman desires to have her name incorporated into the new certificate of title.

Section agreed to.

Sections 2 to 10 inclusive agreed to.

Bill reported, read the third time and passed.

### CRIMINAL CODE

#### AMENDMENTS WITH RESPECT TO DEFAMATORY LABEL, CULPABLE HOMICIDE, ET CETERA

Right Hon. J. L. ILSLEY (Minister of Justice) moved the second reading of Bill No. 337, to amend the criminal code.

Motion agreed to, bill read the second time, and the house went into committee thereon, Mr. Macdonald (Brantford City) in the chair.

Section 1 agreed to.

On section 2—Military law.

Mr. POULIOT: Military law may be all sorts of things. It may be the king's regulations and orders. During the war we had the mobilization regulations which were part of the military law and which were concocted by the notorious Brock Chisholm, a Quebec lawyer and a former deputy minister who is no longer in the government. Those regulations were iniquitous and they could not properly be called the law. I protest against that kind of legislation. I hope that we shall be at peace for a long time, but if we are at war in the remote future—and God forbid that we should be—I hope that such hybrid legislation will not again be adopted.

Section agreed to.

Sections 3 and 4 agreed to.

On section 5—What shall be prima facie evidence of neglect to supply necessaries.

Mr. DIEFENBAKER: Possibly the minister might explain the purpose of this amendment. I appreciate what it says, but did some case arise which made this amendment necessary? If so, what was the case and what was the nature of the decision?

Mr. ILSLEY: I am not able to answer the hon. member's question. I am under the impression that this was recommended by the commissioners on uniformity. The section as it stands at the present time without amendment is defective, in that the presumption is rebutted by support for the first month by the man who leaves his wife. If hon. members will look at the explanatory notes they will find they read as follows:

Paragraph (c) of subsection four of section two hundred and forty-two of the criminal code reads as follows:

"(c) evidence that a man has, without lawful cause or excuse, left his wife without making provision for her maintenance for a period of at least one month from the date of his so leaving, or for the maintenance for the same period of any child of his under the age of sixteen years, shall be prima facie evidence of neglect to provide necessaries under this section."

If support is provided for the first month and never provided again, no presumption is raised by the failure to provide for subsequent months. Therefore the new paragraph reads as follows:

(c) evidence that a man has left his wife, and has failed, for a period of any one month