

Criminal Code

properly be dealt with in the Senate. As a matter of fact, on the last three or four occasions on which the Criminal Code has been amended, such amendments have originated in the Senate. The reason has been the one I have just stated, namely, that it was possible to have the matter dealt with in the Senate before it came to this house. Discussions that take place there are known to members here. Hon. members may follow them, if they so desire—and I know many have done that. Then when the matter comes to the House of Commons, having been dealt with in the Senate, procedure is facilitated here. That is the only reason for its having been introduced in the other place.

It was Senator Hayden who introduced the measure in the other place, and who has introduced other measures.

Mr. Knowles: But he did it on behalf of the government, did he?

Mr. Gardiner: He did it on behalf of the government—I presume at the request of the government leader in the Senate, who usually arranges those matters.

Mr. Knowles: But the fact that the minister is dealing with it here makes it clear that it is a government bill.

Mr. Gardiner: Yes. Then the other question was as to why it was in the name of the Minister of Agriculture in this house. Well, I suppose it is not enough to say that it has always been the Minister of Agriculture—but it has. The reason is that those who put up a real argument in favour of racing are those who are interested in the breeding of driving and running horses. It has always been considered the responsibility of the Department of Agriculture to promote the breeding and production of livestock, which includes horses. One may ask: Why would this be necessary, in these days of motorcars? Well, all I have to say in that regard is that about the only kind of horse that must still be bred on a farm, in a country as far north as Canada, is the type of horse that can move on the road in the wintertime.

In my experience, the best horse to put on the road in the winter is the horse which has enough standard-bred breeding to give him speed, and enough of some other breeding—perhaps hackney, Irish jumper, bronco, or something else—to give him a little more weight. In that way you have a horse with enough strength to take a sleigh through the snow in the wintertime, and enough speed to get to town before you are frozen to death. That is the type of horse in which we are most interested.

I believe that is the reason why trotting and pacing races are becoming more popular

[Mr. Gardiner.]

than they were ten or twenty years ago. The idea is to promote interest in the horse; and because that is the idea, this department is asked to take care of it.

Mr. Knowles: The only comment I would make is that as I look over the bill, rather than its being a bill for the promoting of the breeding of horses, it seems to me that it is a bill for the promoting of betting.

Mr. Fair: That is because there is so much gamble in farming that it has been felt that horse racing is a gamble, and that it should be put under the Department of Agriculture.

Mr. Macdonnell (Greenwood): I am sure the Minister of Agriculture is competent in many ways. However, this bill seems to require a competence of knowledge in the mysteries of the pari-mutuel system. Can the minister discharge the duty laid down in subsection 5, which states:

The Minister of Agriculture, if he is not satisfied that a proper proportion of gate receipts and percentages taken from the pari-mutuel pools is being given in purses to horses taking part in the race meeting or that the provisions of this section are being carried out in good faith by the association conducting the race meeting, may at any time order the betting to be stopped for such time as he may think fit.

He may not order the racing, but he may order the betting to be stopped.

Mr. Gardiner: That is right; but we are still considering section 1.

Mr. Knowles: No; section 1 is the whole bill.

Mr. Gardiner: Yes, but when we take the subsections seriatim we will get to that point. Nevertheless I am quite prepared to deal with the matter. There is nothing in this bill that stops anyone from running a horse race; if there is no betting, you can run all the races you like. If it is just a matter of having a horse race at a country fair or anywhere else, they can run just as many races as they like. What the Criminal Code has always said is that if you are going to bet, then you must do it in a certain way. What is provided here is that if our man who is there checking on everything that is being done with the funds, and who has access to everything carried on in connection with the pari-mutuel betting, finds that somebody is taking more money out than he ought to be taking out, he can stop the betting. The race can go on; the public can watch the race going on, but there will be no money bet. Under pari-mutuel he simply closes the wickets and says: You cannot sell any more tickets until you do what we are instructing you to do.