

Right Hon. Mr. MEIGHEN: That danger always exists. But in the complicated age in which we live the development of machines and the increasing complexity of social life make it necessary to keep creating new classifications of crimes. If this were not done there would be a great deal of wrongdoing for which no punishment was provided. The cases covered by this amendment come very near to those which ought to be subjects of civil action.

Section 11 was agreed to.

On section 12—intimidation:

Right Hon. Mr. MEIGHEN: Section 501 of the Code covers the case of intimidation by violence, threats, and so on, and provides that the offence shall be punishable on indictment or on summary conviction at the option of the accused. There is no reason why it should be at the option of the accused, and the amendment, which is inserted at the request of the Attorney-General of Manitoba, strikes out that option.

Hon. Mr. MURDOCK: There is a further amendment in my copy of the Bill. This copy is not marked, but it bears a typewritten slip indicating that after the word "thereof" at the end of section 12 of the Bill the following is to be added:

—and by adding, at the end thereof, the following as paragraph g:

(g) Attending at or near or approaching to such house or other place as aforesaid, in order merely to obtain or communicate information, shall not be deemed a watching or besetting within the meaning of this section.

Right Hon. Mr. MEIGHEN: I think the copy which the honourable senator has must be the correct one, for that further amendment is initialled, although it did not appear in my copy.

Right Hon. Mr. GRAHAM: Is that further amendment applicable to strikes?

Right Hon. Mr. MEIGHEN: I do not know. I suggest that we pass to the next clause, and in the meantime I shall be glad if the honourable senator from Ottawa East (Hon. Mr. Coté) would look into the question.

Right Hon. Mr. GRAHAM: I suppose the other House would not send over to us a bill that had not been completed?

Right Hon. Mr. MEIGHEN: It would appear that a complete copy was sent over to us, but that the initialling was done on the wrong copy.

Section 12 stands.

Right Hon Mr. GRAHAM.

On section 13—applicant remains in custody or gives recognizance or makes deposit in court:

Right Hon. Mr. MEIGHEN: The change here is very unimportant. It has to do with cases in which there is an appeal. The appellant shall, "in cases in which imprisonment in default of payment is not directed, enter into a recognizance in form fifty-one with two sufficient sureties, as hereinbefore set out, or" and so on. The words "is not directed, enter into a recognizance in form fifty-one with two sufficient sureties, as hereinbefore set out, or" have been added.

—or deposit with such justice an amount sufficient to cover the sum so adjudged to be paid.

It permits the recognizance as an option to the deposit of the amount of the fine.

Section 13 was agreed to.

On section 14—right of appeal not waived:

Right Hon. Mr. MEIGHEN: This is one of the few sections that make better provision for the liberty of the subject. It says:

No person shall be deemed to waive the right of appeal provided by the next preceding section merely by paying the fine imposed on his conviction without in any way indicating an intention to appeal or reserving the right to appeal; and the right to appeal so provided shall, notwithstanding such payment and failure to indicate such intention or reservation, be deemed to continue up to the expiration of the time, or any extension thereof, for filing the notice hereinbefore required.

Section 14 was agreed to.

On section 15—right of appeal to continue to expiration of time for filing notice:

Right Hon. Mr. MEIGHEN: All that is done here is to add British Columbia to the list of provinces in the section. It reads as follows:

When any person is charged, in the provinces of Alberta, British Columbia, Manitoba and Saskatchewan before a police magistrate—Then it goes on to specify the proper judicial officers in the other provinces.

Hon. Mr. DANDURAND: Carried.

Section 15 was agreed to.

On section 16—certain charges disposed of in summary way in the Yukon:

Right Hon. Mr. MEIGHEN: This section is intended to simplify criminal procedure in the Yukon Territory by providing a summary trial in cases where the magistrate feels that it would meet the ends of justice.

Section 16 was agreed to.