will be difficult because these people will always try to lie themselves out of any charge. On the contrary, the Minister of Justice can act on any evidence as he sees fit. For example, if the attorney general of a province reports to the Minister of Justice that his police had fully investigated, say, "John Smith", and that in his opinion he should be interned, that might be regarded as sufficient to justify the internment of the man. It would amount to nothing, however, in a court of law.

Procedure by the attorney general of a province in the ordinary courts of law makes it impossible to deal with most of these subversive people because of the rules of evidence, the burden of proof and so on, and also because witnesses are reluctant to appear in court because of fear that some retribution may be visited upon them. On the contrary, a witness could give his evidence to the Minister of Justice by way of affidavit or otherwise. No person would ever know that he had given such evidence, and he would be under no fear of dire consequences.

Procedure in the courts of law involves delay and, of course, expense. The procedure may involve first, a preliminary hearing before a magistrate; then, if he is committed, a trial before a judge or before a judge and jury. While the attorney general has the right to require them to be tried before a magistrate, he is always on the horns of a dilemma in such cases, because the punishment when tried before a magistrate is much lighter than when tried on indictment, so that in serious cases an attorney general, to do his full duty, must direct trial on indictment before a judge or before a judge and jury; and this, of course, involves further delay, particularly if it is before a judge and jury which must wait for an assize or the sessions. After the trial is all over, in whatever tribunal he may be tried, the person has the right to appeal, which may involve a further delay of perhaps as much as two months.

The Minister of Justice has made reference in the house to the order made by Mr. Justice Chevrier, rather suggesting that with this further instrument communists could be suppressed. In the first place, the order of Mr. Justice Chevrier was based on the conviction of the Binders and Saunders. All three of these defendants have appealed. If the Minister of Justice had not declared the communist party to be an illegal organization, by order in council dated June 6, the illegality of the communist party would depend entirely upon the success or failure of the Binder appeal. Even if the order is confirmed by reason of the convictions being confirmed, the scope is very narrow and limited. Regulation 39(c)3, order of June 6, should define "meeting" to include concerts or social gatherings of any kind, or any gathering or concert held under the auspices of any of the organizations named in the June 6 order, or meetings held under any other organization, group or individual, where speeches of a communistic character are made or where a communist takes an active part in the meetings. Such an eventuality should be covered by the order in council. There is always difficulty in getting evidence because of the secretive nature of these organizations. Drive them under cover by banning public meetings, and they will still be able to hold small meetings in private houses.

It would not be sufficient to prove that a person was a communist or that he held communistic views, and so on. The crown would have to prove that he was a member of the communist party of Canada since the Chevrier order dated May 15, 1940. It would not be sufficient to prove that he was a member of the communist party of Canada a week, a month or a year before. Under these circumstances it can be assumed that the number of cases in which the crown could succeed on these very strict and narrow grounds would be extremely small. The evidence in the hands of the police that the individual was a member of a communist organization between September 3, 1939, and June 6, 1940, cannot be used unless the order in council is made retroactive to September 3, 1939.

I understand that the province of Ontario has prosecuted and convicted more persons under the defence of Canada regulations than all the other provinces combined, but in spite of this they have only scratched the surface. I understand that the police of the province of Ontario and the Toronto city police have in their files scores of cases which should be seriously considered for internment, and that most of those concerned should be interned.

One of the most disturbing factors in the present war has been the effective use made by the Germans of the secret agent. These secret agents have gathered information concerning the location of troops and of military objectives. Is there any wonder that our citizens are alarmed lest we suffer as have Norway, Denmark, Holland and Belgium? Has the minister received a communication from the police association of Ontario stating that they have information respecting persons regarding whom complaints have been received as to their nazi or fascist activities, as well as persons known to have been active in communistic organizations of this province? Has