

say that we declared that there was nothing in the criminal law especially to impinge upon that. That being the case we surely are in this position: there is nothing at all to be considered by this committee except the danger, and I would say the present danger, not future danger, of the communist party with reference to the war effort and that only. If we go any further than that we are going into a field that has already been pretty well gone over.

MR. BERTRAND: We have to admit that they are working on common ground. There is a document that was sent to a few persons in Montreal dated September 11, 1941. I have a copy of the document. This document shows that what the witness is saying now is true. I am informed that the Mounted Police have not been able to identify the document as an absolute authentic document, but I think with this explanation the document should be read to the committee.

MR. MAYBANK: I do not wish to stop the presentation at all.

WITNESS: May I give an explanation of the viewpoint?

MR. MAYBANK: It certainly is clear that parliament has already settled that in peace time these people are all right or at any rate no special law is necessary, so unless we keep our heads solely to the question of injury to the war effort it seems to me we will be going far beyond our terms of reference.

WITNESS: Would you just let me say a word here, gentlemen? You have amongst your members a man who was a Crown prosecutor for many many years and who has had experience in criminal law and its enforcement before the courts. I refer to Mr. Bertrand. He will tell you, I am sure, notwithstanding the fact that section 98 was done away with, an offence, if it is equivalent to sedition, still comes under the Criminal Code.

MR. MAYBANK: Oh, sure.