

Letters with Mr. W. D. McPherson, M.P.P., on the subject of his Bill to restrict the traffic in small fire-arms, and calling his attention to the danger arising from the large business done by second-hand dealers.

Correspondence with Chief Constable McRae, Winnipeg, as to the advisability of a Police Code for telegraphic work.

Correspondence with Hon. A. B. Aylesworth, Minister of Justice, with regard to the handling of indecent post cards and pictures, in which the Minister thus states the position:—

Toronto, May 5th, 1909.

The Hon. Minister of Justice,

Ottawa, Ont.

Re Proposed Amendments to Criminal Code.

Dear Sir:—

In proposed Amendment to Sec. 207 is it made quite clear by the wording thereof that it will not be necessary for the prosecution to prove that sale or other distribution or circulation is intended? If not we will still be confronted with the difficulty we encountered in the "Graff" case, under the law as it now stands. In that case the Crown officers held that having in possession, even in such large quantities, was not an offence in the absence of proof of sale, distribution or circulation. Would it not simplify matters if onus of proof of purpose for which possession is held were thrown on person charged, particularly when found in unreasonable quantities. I would suggest adding the word "publishes" after the word "manufactures" in first line of proposed Amendment. Also that the same right of search and destruction under certain restrictions be given as is now enjoyed in case of gaming houses under Sec. 641 and two following sub-sections.

The rights of the individual would be amply protected as proceedings can be initiated only by the Chief Constable or his responsible representative on affirmation approved by the Police Magistrate.

Yours truly,

Wm. Stark, Secretary-Treasurer.

Ottawa, Ont., May 6th, 1909.

Wm. Stark, Esq.,

Secretary-Treasurer,

Chief Constables' Association,

Toronto, Ont.

Dear Sir:—

I have your letter of the 5th ins. with reference to suggested Amendments to Sec. 207 of the Criminal Code.

You will observe that the proposed language makes it an offence for anyone to have in his possession indecent pictures "for sale, distribution, or circulation". This means for the purpose of selling, distributing or circulating, and the purpose or intention with which anyone may have possession of such pictures is simply a matter for the Court to infer from all circumstances which may appear in any particular case. In many proceedings, both civil and criminal, the intention with which a thing is done is to be determined by the Court. A man may be charged with having liquor on his premises "for sale" and I have no doubt that many convictions for this offence have been made without any evidence of an actual sale having taken place. The quantity of the commodity which the accused person had on hand, would, I think, be a strong circumstance to be taken into account.

Mr. Raney wrote me, some days ago, urging that the word "publishes" should be inserted in the section, and I certainly should have no objection, but as a matter of law every act of distribution or circulation is necessarily a publication. "Publishing" does not mean printing, but "making public". I may add that after writing

Mr. Raney to the above effect, he replied apparently conceding that the Amendment as proposed would meet the difficulties which have arisen under the Section as it now stands in the Code, and possibly if you could discuss the matter with Mm. Raney you would reach the same conclusion.

I remain,

Yours faithfully,

A. B. Aylesworth.

Membership.

A number of changes have taken place in the membership of the Association during the year.

The only death recorded is that of Chief Thomas Connor, of Port Arthur. As Chief Connor only attended the Convention of 1906 he was not very well known but created a favorable impression among those with whom he came in contact on that occasion.

Owing to changes in their official positions, or their retirement altogether from the Service, the following have ceased to be members: Thos. Bell, Whitby; Wm. Burke, Brockville; Major Beale, Edmonton; J. Crawford, Oshawa; A. D. Dalgleish, Kenora; T. English, Calgary; G. C. Flintoff, West Toronto; R. Parnell, St. Catharines, and C. E. Vanmere, Simcoe. The names of the successors of most of those who have gone out already adorn our membership roll, and no doubt the others will follow in due course.

British Police Methods.

In my report of last year, I promised the Association a paper for this Convention giving my impressions of Police methods, and systems in Britain as obtained during my visit there a year ago, but owing to the large number of papers already promised, and the short time at our disposal, I felt that I should not trespass upon your time and patience. I shall be glad, however, to give you those impressions in several short letters to our Official organ, *The Canadian Municipal Journal*, during the coming winter if agreeable to the Association, provided, of course, the *Journal* will undertake to publish them.*

A Standing Committee on Legislation.

In view of the frequency with which changes are being made in the Criminal law, I would suggest the advisability of making provision for a standing Committee on Legislation. The members of this Committee should reside within a reasonable distance of Ottawa so that they could be got together at the seat of Government on short notice, and at comparatively small expense which the individual, or his municipality, would have to bear for some time at least.

Financial Statement.

Receipts.	
Balance	\$136.24
Membership fees	192.00
Interest	6.40
	\$334.64
Expenditure.	
Printing, Stationery, etc.	\$ 65.00
<i>Canadian Municipal Journal</i>	22.50
Stenographer	25.00
Letter Book	90
Kent & Sons, Badges	18.00
G. H. Webster, circulars	1.25
G. H. Webster, vising certificates	12.50
Balance	\$189.49
	\$334.64

Respectfully submitted,

Wm. Stark, Secretary-Treasurer.

* The letters will be welcomed.—ED.