

The usual safeguards are thrown around the accused. There should be some control in the institution of a prosecution of this kind. It cannot be begun without consent of the Attorney General of Canada. In the second place, the accused has the usual protection of the grand jury in those provinces in which there are grand juries. First, there is the preliminary inquiry before the magistrate and later he has the protection of the jury, if one can call it protection; at any rate, he has the right to go before a jury. And then there are provisions for appeal. I should add, however, that appeals are expedited. There is a section designed to expedite the hearing of appeals so that cases will not drag on for any length of time. Finally, there is the power of the governor in council to commute a sentence if it is felt in exceptional cases that this should be done, just as in the case of murder. There are some subordinate provisions of the act, notably those relating to courts martial and their jurisdiction. They are given concurrent jurisdiction over persons subject to the military law and over alien enemies in cases where alien enemies are sent to them for trial or it is deemed advisable that they be tried by court martial. The punishment in case of conviction by court martial is not by hanging but by shooting, and that is probably the universal rule in most countries with which we are acquainted.

Mr. HANSON (York-Sunbury): Why is the court martial provision there? My understanding is that military men prefer the method of shooting to hanging. I do not know that it makes much difference in the final result, but I suppose it is a matter of military etiquette, shall I say.

Mr. ILSLEY: I prefer to have such questions answered in committee, and I shall have to rely on my colleagues in the committee, some of whom are experts on these questions of courts martial, military law and so on. I do not pretend to be an expert at all. There are some less important provisions with regard to procedure, all of which are necessary and which can be explained as the bill is discussed in committee. The bill has been drafted with as much care as the committee has been able to exercise and I am convinced that it deserves to be passed by the house.

Mr. H. C. GREEN (Vancouver South): Speaking on behalf of the official opposition, may I say that we approve the principle of this bill. It must seem strange to all of us that here in Canada we should have a

bill of this type before our national parliament, but it is one of the consequences following from what has happened in Europe in the last three months. Three months ago, I dare say, not one member of this house would have been in favour of a bill of this kind, but in that time we have seen Norway, Holland, Belgium and France go down, and in each instance these nations have fallen, in a marked degree, because of traitorous activities within their boundaries. Great Britain has realized that situation, and in May of this year, for the first time in its history, the British parliament enacted a similar law for the motherland.

The measure which is being discussed to-day is modelled on the British act. The British passed that act as one of the precautions they have taken to preserve the safety of the state, and I suggest to the house that for just that reason this bill should be accepted unanimously by the Canadian house. The Prime Minister of Great Britain, the Right Hon. Winston Churchill, very nicely summed up the situation with regard to traitors in Great Britain in his speech which was reported in the Canadian press on July 14, in which he said:

Behind these soldiers of the regular army, as a means of destruction for parachutists, air borne invaders—

And I stress the following words:

—or any traitors that may be found in our midst, and I do not believe there are many—woe betide them, they will get short shrift—

I suggest that these are words that might very well be repeated in Canada. No law-abiding Canadian citizen, no matter what his origin, no matter what his descent, need fear this act, because it is for his protection. It is not to hurt him. This bill is meant for traitors, and for traitors only.

In Canada, as the special committee reported on July 2—the report may be found in Votes and Proceedings of that date—there is no adequate measure at the moment for dealing with traitors to our country. We have the treason provisions of the criminal code, as pointed out by the Minister of Finance (Mr. Ilsley). But those provisions do not cover the enemy agent who comes over from south of the boundary and commits or attempts to commit acts such as those covered by this new bill. They do not cover men landing say on the Pacific coast from a freighter from across the Pacific ocean and proceeding to do acts covered by this bill. These are acts of the type meant to be covered by this bill. The penalty for treason which has stood in our criminal code for decades is just the same