

Mr. LEMIEUX: The Minister of Justice might also take this into consideration, that since we call a young man of the age of nineteen or twenty to the colours, he should not be put above the law, as under subsection 2 he will be put. I agree with the hon. member for Westminster district as to the merits of the Bill. It is a good Bill and it should be passed by the House, but subsection 2 should be struck out.

Mr. E. LAPOINTE: I am one of the few hon. members who agree with the Minister of Justice as to subsection 2. When I first read the Bill, I was going to ask for an explanation as to the age limit in subsection 2. The reasons given by the Minister of Justice have convinced me that subsection 2 should be retained in the Bill.

There are certainly cases where the responsibility should not fall entirely on the young man under twenty-one years of age, and where the girl should be let go scot free. Surely my hon. friend from Wright and the hon. member for East Algoma are not serious when they say a young man under twenty-one years of age should be prosecuted for having seduced a maid of forty or forty-five years of age. The proposition is absolutely absurd. The reasons given by the Minister of Justice are sound, and I think the subsection should be kept as it is.

Mr. COWAN: I think the case cited by my hon. friend is so exceptional that it should not be considered at all. The vast majority of these cases occur between the young man of twenty and girls of the same age. Instances of the kind cited by my hon. friend are very rare; indeed, and should not form the basis of our legislation. I would sooner trust a man at any period of his life than between eighteen and twenty-one years, when his passions are matured but he has not the wisdom of maturity. Our ordinary legislation recognizes that. I see no reason why we should make any distinction between the two sexes. The law of Canada provides that where the two parties agree to marry all criminal proceedings shall be stopped. If we remove the penalty from young men up to the age of twenty-one years he will certainly not be any the more likely to marry the girl; whereas when he is liable to a penalty of two years he is more likely to do justice to her. I do not believe in forced marriages, but I believe that is better than to turn a young woman out blighted for the rest of her life. I therefore support the suggestion of my hon. friend.

Mr. DEVLIN: In order to settle the qualms of conscience of my hon. friend from Kamouraska, when I spoke of a woman of forty-five or fifty I was simply instancing how far young men might carry their crimes. I did not cite that as a basis for any argument at all, and I hope my hon. friend, knowing me as well as he does, will not think I meant that as the essence of any argument I was trying to make. I am thoroughly aware of the fact that the Criminal Code provides for cases of idiots and so on, but I had in mind cases occurring in the country. I am addressing myself particularly to hon. gentlemen representing rural constituencies, because apparently this legislation does not consider the cities at all. Hon. gentlemen representing the cities can draw up their own code of morals, but we are here trying to protect the people in the rural constituencies.

Mr. E. LAPOINTE: These things do not occur in rural constituencies.

Mr. DEVLIN: The hon. member for Kamouraska has the advantage of representing one of the ideal constituencies of the Dominion. As a matter of fact, there is less crime in rural constituencies than in cities.

An hon. MEMBER: Less known crime.

Mr. DEVLIN: I have lived in cities and I have lived in the country, and I know whereof I speak. In the rural parts of Canada there is far less crime than there is in the cities, but it is in the rural constituencies where an odd case such as I have cited comes to the notice of the criminal authorities. You gentlemen who come from the cities are framing your code of morals every day for yourselves, and are perhaps not paying the same keen attention to this matter that we are who represent rural constituencies. I think, after all the arguments that have been advanced, there is nothing further for me to add. I am grieved, however, beyond measure to see that my hon. friend from Kamouraska, who is the very incarnation of virtue, respectable beyond his outward appearance, wants us to swallow subsection 2 of section 211. I am not going to attempt to answer my hon. friend. I shall leave him to settle the matter with his conscience.

Mr. McMASTER: It is a matter of gratification to see the unanimity with which the principle of this Bill is accepted by the House. I would urge that this clause be retained, not necessarily retaining the word "twenty-one," but some protection should