

It was in consequence of an actual case he had been induced to bring forward the bill. He referred to a case where two newspapers in Toronto had been served with a warrant under the existing law, and where it was found that the whole thing was a fraud and was got up for the purpose of levying blackmail.

Objection had also been taken to the use of the name of the Attorney-General, as provided in the bill, and if it was allowed to go into Committee of the Whole he would strike out that portion. He would also provide that action should be commenced within six months.

**Hon. Sir JOHN A. MACDONALD** would have no objection to the bill with the proposed alterations.

The bill was read a second time, adopted in Committee, and read a third time and passed.

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#### OFFENCES AGAINST THE PERSON

**Mr. HARRISON** moved the second reading of the bill to amend the Act respecting offences against the person. He explained that the object of the bill was to give a discretionary power to the Judge in pronouncing sentence for the crime of rape. It was well known that the death penalty was never carried out, and it seemed to him to be a solemn farce for a Judge to pronounce the sentence of death, the most solemn of all sentences, when he felt that it would not be carried into effect.

The consequence of the death penalty was that advocates often made use of it in order to secure the acquittal of persons who ought to be convicted and punished. He contended that a discretionary power should be vested in the Judges to pronounce the death penalty if necessary or a sentence of imprisonment as circumstances might require.

**Hon. Mr. CAMERON (Peel)** said that the matter was one of great importance and required grave consideration. At this late stage of the session it would not be properly discussed, and he would therefore suggest that the bill be allowed to stand over.

**Hon. Mr. GRAY** approved of the bill, but thought it should go a little further and provide that the sentence for the crime of rape should not necessarily be imprisonment for life, but that according to circumstances imprisonment for a term of years might be inflicted. This had been found to work well in New Brunswick.

**Hon. Mr. MACKENZIE** agreed with the hon. member for Peel (Hon. Mr. Cameron) that it would be impossible to have a fair discussion at this late stage of the session.

**Hon. Sir JOHN A. MACDONALD** was in favour of the principle of the bill, but thought that it would not be wise to do away with the death penalty altogether. In most cases the sentence was commuted. Still, under the peculiar circumstances of the

country, the exposed position of a great part of it, and the long frontier, offered opportunities to men of bad character to cross and recross, and in order to afford additional protection to women, it would be well that the death penalty should not be altogether abolished. As, however, the opinion of the House was altogether in favour of the postponement of the bill, he would suggest its withdrawal.

**Mr. HARRISON** concurred, and the order was discharged.

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#### INSOLVENT ACT

**Mr. HARRISON**, on the motion for the second reading of the bill to amend the Insolvent Act of 1869, said that as such a strong objection had already been taken to that law by the House, he would remark that the amendments he proposed would meet many of the objections which had been urged against the Act of 1869.

The bill was withdrawn.

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#### BILLS PASSED

The following Bills were read a second and third time and passed:—

**Hon. Mr. TUPPER:** To extend to the province of British Columbia the following Acts:—Respecting the navigation of Canadian waters; relating to lighthouses, buoys, and beacons; respecting the treatment and relief of sick and distressed mariners; respecting the inspection of steamboats and for the greater safety of passengers by them; and to authorize the imposing of the like tonnage rates and fees as are imposed by the said two last mentioned acts for the purpose of paying the expenses and remunerating the services required in carrying out their provisions.

**Hon. Mr. TILLEY:** To extend the tariff of duties of customs and excise, and certain enactments thereto, to British Columbia.

**Hon. Mr. TILLEY:** To extend the Act 33 Vic., Cap. 20, to the Port of Collingwood.

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#### PROROGATION

**Hon. Sir JOHN A. MACDONALD** said that his Excellency intended to prorogue the House on Friday, at 3 o'clock. It was found that they could not get through all the business today.

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#### ORDERS DISCHARGED

It being six o'clock the House took recess.