

their votes in a way other than they would if they were left free to choose their own course. As I have said, I did not intend to make any further remarks about this question, and I would not have done so had it not been for the special reference the hon. member for Monck (Mr. McCallum) felt it necessary to make in reference to myself.

Motion agreed to.

## SECOND READING.

Bill (No. 4) to provide for the distribution of assets of insolvent debtors.—(Mr. Curran.)

## PUNISHMENT OF SEDUCTION.

Mr. CHARLTON moved second reading of Bill (No. 27) to provide for the punishment of seduction and like offences. He said: In moving the second reading of this Bill, I ask permission of the House briefly to call attention to its provisions. The 1st section provides for the punishment of seduction under the promise of marriage of any unmarried female of previously chaste character of 21 years of age, and provides that, in case of the marriage of the parties, it may be pleaded in bar of conviction. Section 2 provides that it shall be a misdemeanor to effect a feigned or pretended marriage. The 3rd section provides that it shall be a misdemeanor to inveigle or entice any female of virtuous and chaste character into a house of ill-fame. The 4th section provides that the evidence of the female shall be corroborated by other material evidence. The 5th section provides that the evidence of the party accused shall be taken. The 6th section provides that no prosecution under the Act shall be commenced after the expiration of one year from the time of committing the offence. The punishment for these offences is two years in the penitentiary or a less term in any other place of imprisonment. This Bill has been introduced on three previous occasions. It had passed the House of Commons on each occasion, but has failed hitherto to secure a majority in the Senate. I think I may assert that public sentiment is in favor of this Bill; the expressions of public sentiment, so far as they have been made, have been strongly in favor of this Bill. Some of the religious bodies during the past season have taken ground in favor of it. The General Assembly of the Presbyterian Church passed a resolution strongly endorsing the position taken in this Bill, and that resolution passed without a dissenting voice. The principle of the Bill is not a novel one. A law substantially of this character has existed in various countries and does at this time exist. In most of the European countries it exists in some modified form, and it also exists in nearly every one of the American States, and I shall call attention to a Bill much more stringent than this which was reported from the House of Lords in England to the House of Commons in 1883. The scope of the Bill is a narrow one. It only deals with two offences, seduction under the promise of marriage and a feigned or mock marriage. It has been said that the Bill does not provide any punishment for the woman. Well, the Bill in this case provides only for offences which may have been committed by means of false pretences or by a mock marriage, and I do not think it can be argued that, in either of these cases, the female is a guilty party in any sense whatever. The Bill which I mentioned as having been reported from the House of Lords will be found in the volume of Lords' Papers, Public Bills, Volume 3, of 1883.

Sir JOHN A. MACDONALD. It did not pass.

Mr. CHARLTON. It did not pass the Commons last Session, but I am not certain that it has not passed this Session. We have no record of the Bill. But I will call attention to the Bill as it passed the House of Lords. It

was entitled "An Act for the protection of women and girls." The second section of the Bill provides, that

"Any person who procures or endeavors to procure any woman under twenty-one years of age to become, either within or without the Queen's dominions, a common prostitute; or procures or endeavors to procure any woman or girl to leave the United Kingdom, or to leave her usual place of abode in the United Kingdom, for the purpose of entering a brothel abroad, whether he shall or shall not inform the woman or girl of such purpose, shall be guilty of a misdemeanor."

The third clause provides:

"Any person who by fraud, intimidation or false pretence",—

Such pretences as are covered by this Bill.—

"False representations, or other fraudulent means, procures, or endeavors to procure, any woman or girl to have illicit and carnal connections, either within or without the Queen's dominions, with any man, shall be guilty of a misdemeanor."

The fourth section provides that it shall be a felony to have carnal connection with a girl under 12 years of age; and the fifth section provides that it shall be a misdemeanor to seduce any girl under 16 years of age, and it shall be a criminal assault even if the purpose is accomplished with her own consent. The Bill is much more stringent than the Bill now under the consideration of this House. It is a Bill that passed the House of Lords by a large majority, and I cannot doubt that this Bill will become the law of England, if it is not already the law of England. It was reported from the House of Lords to the House of Commons in 1883. We have not the Journals of the House for the Sessions of 1884; the Bill probably reached the House too late to be acted on in 1883. This Bill reported by the House of Lords, is entirely in consonance with the legislation of the most civilised states to-day. As I said last Session in advocating the proposition of this Bill, the law exists in various forms, and in almost every instance in a more stringent form, than the Bill under the consideration of this House. It exists in almost every one of the American States, and in many of those States it has been on the Statute-books for many years. In the State of New York, I think it has been on the Statute-book for over forty years; a very stringent law providing punishment both by fine and imprisonment—five years imprisonment and \$5,000 fine, either one or both, in the discretion of the court. This law has been found to work so well that in no single case has there been any agitation for its repeal in any State where it exists, and where it has been on the Statute-book for many years. I think the experience of other countries in this matter will lead us to believe that the law is perfectly safe, perfectly proper. Certainly in this country the law with reference to offences of this kind is in a most unsatisfactory state. I shall not detain the House by a lengthy argument of the Bill. It has been under the consideration of the House now for three Sessions, and has been fully discussed, and I have no doubt the members of the House have their minds made up as to the propriety or necessity of passing this Bill. I have the honor to move that the Bill be now read the second time.

Sir JOHN A. MACDONALD. In looking at this Bill while I object to several of the clauses, I think the second and third clauses are sufficient, in my opinion, to save the Bill. The second clause is this:

"Any man who procures a feigned or pretended marriage between himself and any woman, or any man who knowingly aids or assists in procuring such feigned or pretended marriage, shall be guilty of a misdemeanor, and shall be punished as hereinafter provided."

Now, Mr. Speaker, it seems to me if there is a crime in the world that ought to be punished, it is where a man gets up a pretended marriage, and induces an honest woman to believe that he is about to make her his wife; and gets a man under pretence of being a clergyman, for instance, who