

**The MINISTER OF MARINE AND FISHERIES. No. five.**

**Mr. CAMERON.** I have only seen three, and not one of them a lawyer.

**Some hon. MEMBERS.** Oh, oh.

**Mr. CAMERON.** The hon. gentleman has moved this motion in the absence of the Solicitor General. I am one of those who as a general rule are opposed to frequent changes in the criminal law, especially in the Criminal Code, which in my judgment has no superior. It is a code which was prepared largely under the advice of the late Minister of Justice, than whom, I am bold to say, there never sat in the Parliament of Canada a more profound criminal lawyer; and I am opposed to changes being made in that Criminal Code, except on the advice of the responsible legal advisers of the Crown. The changes which the hon. gentleman proposes to make by this Bill are of an extremely radical character—changes which I may say at once I am entirely opposed to. The hon. gentleman proposes to repeal section 684, subsection “c” of the Criminal Code. That section provides that in a large class of cases, twelve or thirteen cases, no conviction can be obtained on the unsupported testimony of one witness. Take especially the class of cases which the hon. gentleman proposes to deal with. We all know that the Criminal Code provides for the trial and punishment of a large number of these offences, for instance, seducing a girl under 16 years of age; seducing a female under 21 years of age, under promise of marriage; seducing a ward by a guardian; officers of a vessel seducing female passengers; procuring the defilement of girls; parents and guardians procuring the defilement of their children and wards; landlords permitting their premises to be used for the purposes of prostitution; conspiring to secure the defilement of girls; having carnal connection with idiots; causing the prostitution of Indian women. In the Criminal Code a certain protection is provided for persons who are charged with these offences. Nobody that I know of complains of the law as it stands; that is, that men shall not be convicted of any of these offences on the unsupported testimony of one witness. I never heard a judge or a criminal prosecutor complain of that law. I never heard of any report or petition to this House or to the judges complaining of that provision in the law, which was introduced for wise and benevolent purposes. Everybody who knows anything of practice in the criminal courts knows perfectly well that in the majority of cases—or if not in the majority, at all events in a large number of cases—prosecutions under what is called the Charlton Act and similar laws are instigated not from the best of motives. A great many of these prosecutions are started for the purpose of extorting money, for the purpose of blackmailing, for the purpose of

bleeding; and if you change the law that makes it necessary for two witnesses to the commission of the offence—not two witnesses to the commission of the offence, but one witness, with corroborative evidence—you will open wide the door to crimes worse than those provided for in the Criminal Code—fraud, attempts to extort money, and attempts to blackmail. The Parliament of Canada, for wise and sufficient reasons, in my judgment, cast around innocent men charged with the commission of these crimes, a parliamentary shield, and declared that they should not be convicted on the unsupported testimony of one person. Everybody who has had any practice in the courts knows that these prosecutions are largely instigated and carried on by the female said to have been injured. She lays an information; the man is sent over for trial; he is placed on trial before twelve of his countrymen; the woman goes into the witness box; she tells her story, which is possibly clear and plain enough; the young man may go into the box and deny every word she says; but the chances are ten to one, especially if the girl is a well-developed and good-looking girl, that she gets a conviction. I have been engaged for forty years, both as Crown prosecutor and defender, in scores of these cases, and I think I can honestly say that in my experience, at least 50 per cent of the cases the man was not at fault. And yet you would allow the girl to go into the witness-box—she may be a good girl and may not; she may have been a loose girl, and you know nothing about it, or it may not have been her first offence, and you know nothing about it—but you would allow her to go into the box and tell her story, and the man is convicted, though the chances are ten to one her story is not true. But the law steps in and says wisely, you shall not condemn a man on the unsupported testimony of any one person, man or woman. The law steps in and wisely affords that protection to the innocent. If the offence has been committed, the chances are ten to one there is some corroborative evidence. You need not have the evidence of some one who was actually present and saw the offence committed, but if you have evidence corroborating the probability of the girl's story, that is all that is required, and surely in the interest of the innocent and the guileless, that is all we should require. A man cannot be convicted of forgery upon the unsupported testimony of one witness. A man forges a dollar note, and yet to convict him you must have corroborative evidence. A man is alleged to have had connection with a girl, he may never have had connection with her, but upon her unsupported testimony, under my hon. friend's amendment, he may be convicted although pure and innocent as Joseph was. We know perfectly well how these things often arose. A young man is paying attentions to a young girl. For some