

may have believed her to be 25, and he may have had every reason to believe her to be of that age, and she may have left the House at her own solicitation, but the hon. gentleman (Mr. Charlton) says that is no excuse or palliation, and the offender is to be imprisoned for five years in the penitentiary. I submit to my hon. friend that the law is Draconian enough as it is at present; a little more so than I think it ought to be. I protest against this constant tinkering with the criminal law; unless, I grant, that my hon. friend (Mr. Charlton) who has given a great deal of consideration to the subject, is able to show that there are facts and circumstances existing in Canada which demand a change in these ages. I frankly confess he has not shown that to my mind, and I think he would be well advised in leaving this matter in the hands of the Minister of Justice, who, I happen to know has been considering many points of this code of late, and will when he has had full time to consider them properly, submit the result of his deliberation to Parliament.

Mr. CHARLTON. I cannot agree with the Minister of Marine and Fisheries in the position he takes with regard to these changes in the criminal law which I propose, being of a drastic character, and not having received due consideration. The hon. gentleman tenders the advice that the Bill should be laid over. Now, Sir, the portion of the Bill with regard to the raising of the age of consent has been frequently discussed in the House of Commons. As I have already said it has been accepted by the Minister of Justice in a previous Administration, and by the Premier of this Dominion last session. This Bill went through its second reading last year and was referred to a committee, and the reason that further action was not taken upon it was due to the fact that the Premier left Canada to attend the Jubilee celebration, and that all legislation was allowed to stand over. Now, the hon. gentleman (Sir Louis Davies) says that I would be well advised to leave this matter alone.

The MINISTER OF MARINE AND FISHERIES. I beg the hon. gentleman's pardon. I said: To leave it where it is now under the consideration of the Minister of Justice. The Minister of Justice has not yet had time to give that matter the consideration which it demands, and I believe it is hardly fair to press the matter now until he has had that time.

Mr. CHARLTON. If this Bill goes to the committee and the Bill, or any portion of it, receives the sanction of the committee and the sanction of the House to its third reading, it will then go to the Minister of Justice for his consideration. I do not know that I would press so strongly for the second and third sections as I would for the first. It seems to me that the crime of seduction under promise of

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marriage is a crime which a person of eighteen years of age ought to know is a crime under the law.

Mr. MONK. I rise to a point of order. I do not know that the hon. gentleman has a right to speak a second time on a motion for the second reading of a Bill.

Mr. DEPUTY SPEAKER. The point of order is well taken, because the hon. member for North Norfolk (Mr. Charlton) has moved the Order of the Day, and I do not think he has a right to reply without the general consent of the House.

Mr. CHARLTON. I had one or two reasons to urge, if the House would permit me to do so. But I suppose I cannot trespass on the forbearance of the House, if any hon. gentleman objects.

Mr. REID. I object, Mr. Speaker.

Mr. BRITTON. I do not agree with the Minister of Marine and Fisheries as to the reasons why the Criminal Code should not be interfered with. I suppose any one who heard what I said a little while ago would believe that, without my repeating it. But I could give at least twenty instances in which the legislation in the code is of the most slipshod character. I quite understand how that came about, from the hon. gentleman's statement a little while ago, that it went through the committee at railroad speed. But attention can only be called to these matters as they come up, either in actual practice or by a careful study of the code itself. Among other instances, there is no provision in the code at present for collecting an estreated recognisance from a surety in another county, unless by suit on the bond. If there is any legislation of an important character that requires revision, it is the code in very many important particulars. As to the Bill before the House, I do not want it to share the same fate as mine, and if the hon. member for North Norfolk would like to speak, I would move that the debate be adjourned.

Mr. CRAIG. Mr. Speaker, a year ago, when this Bill was before the House, a small deputation waited on the Premier in reference to it, and he expressed himself favourable to the passage of the first section. I think he expressed the same opinion in the House. As to the two other sections, I think he objected seriously to them. I think there is some force in the remark of the hon. Minister of Marine and Fisheries, that the promoter of this Bill should show that the Act as it is at present does not work well. I do not think that he has shown that. I do not know that he has shown that any injury has resulted from leaving the age of consent at sixteen years. I do know that petitions have been sent to this House in favour of raising the age to eighteen years. I have myself seen requests to the effect from