

3. It is immaterial whether or not the offender believed the girl to be of or above the age of sixteen.

This crime of abduction is certainly more serious than the crime of seduction, and the Bill provides that the abduction of a female up to the age of 21 years shall be a misdemeanour, instead of having as at present the age limit of 16 years. These are the three provisions that the Bill contemplates: The raising of the age of consent from 16 to 18 years of age, by which it will be made an indictable offence, a misdemeanour to seduce a girl of previously chaste character, between the ages of 14 or 18. The second provision is, the making of the male responsible for the crime of seduction under promise of marriage from and after the age of 18 years, holding him to be an accountable being from and after the age of 18, instead of the age of 21 years, which is the present limit. The third provision is, to make it a crime to abduct a female under the age of 21 instead of having it as at present under the age of 16. I think all these three provisions are in the interest of law, of morality and of society. The first provision, raising the age of consent to the age of 18 years, has been accepted by the right hon. the Premier last session, and was accepted I believe by Sir John Thompson on a previous occasion. I beg to commend this Bill to the favourable consideration of the House, and I now move its second reading, seconded by Mr. Scriver.

The **MINISTER OF MARINE AND FISHERIES** (Sir Louis Davies). I trust my hon. friend (Mr. Charlton) will not press this Bill.

Mr. CAMERON. Hear, hear.

The **MINISTER OF MARINE AND FISHERIES**. I take it that I have got one very energetic and active supporter at any rate. The reason I submit to the House why this Bill should not be pressed to a conclusion is in the line of the reason I advanced against the Bill introduced by my hon. friend from Kingston (Mr. Britton). The criminal law as it stands in the code was not a hastily devised law; it was a law crystallized into the Statute-book after debates extending, to my own personal knowledge, over eight or ten sessions of Parliament. It was the consensus of opinion of more than one Parliament.

Mr. CHARLTON. Three.

The **MINISTER OF MARINE AND FISHERIES**. When we have the consensus of opinion of three Parliaments crystallized in a criminal law, I consider that it is not wise to use a familiar metaphor, to pull it up by the roots to see whether it is growing or not. I think the hon. gentleman would be well advised to leave it alone. Personally I think his Bill went a little further before than it ought to have gone, and I believe his persistency received a reward

which the merits of his argument did not justify. The hon. gentleman now seeks to raise the age of consent from 16 to 18 years, but he has not given us a single argument why that should be done. He has not shown us that the present law worked unjustly; he has not shown us that there is any opinion from the judges, the attorney generals, or the criminal lawyers engaged in carrying out the present law, that it is defective. He has not shown us that there have been petitions from the public that its deficiency is recognized by them.

Mr. CHARLTON. I mentioned that hundreds were received last session.

The **MINISTER OF MARINE AND FISHERIES**. I did not hear the hon. gentleman say so, and I do not remember the receipt of these petitions. I do not remember them being read in the House and I do not know that any of them came from the part of the Dominion to which I belong.

Mr. CHARLTON. Yes, from every province in the Dominion.

The **MINISTER OF MARINE AND FISHERIES**. I am not aware of any prosecution ever having taken place under that section in my part of the country. The second change which the hon. gentleman proposes to introduce is more objectionable still. The law provides now that a man at the age of 21 years, who commits one of these offences shall be liable to punishment criminally, and my hon. friend (Mr. Charlton) seeks to make a boy of 18 years, who may not have left school, criminally liable for an offence of this kind. I totally object to that; I think it is a mistake and not a movement in the right direction. You cannot argue these things out logically; there must be an arbitrary age accepted somewhere; you cannot prove to a demonstration that the age of 21 years is the exact age that should be accepted and must logically under all circumstances be the true one, but it is the age generally accepted as the legal age, when a man assumes his full manhood and must be held responsible for all his acts. To say that a boy of 18 years shall be liable to these tremendous punishments is a step in a direction which I for one do not propose to take. The hon. gentleman also proposes in section 283, to substitute 21 years for 16. He wishes to provide that any one who abducts a girl under 21 years, whether, mind you, he has reason to believe she was 23 or 24 years, shall be liable to five years imprisonment. Well, I think that is going a little too far, as I think my hon. friend (Mr. Charlton) on reflection will admit. The law now says that it is immaterial whether the girl is taken with her own consent or at her own suggestion or not, and it is further immaterial whether or not the offender believed the girl to be of, or above the age of 16. But my hon. friend wishes to put this age at 21. The offender