

monstrous, and I hope the promoter of the Bill will not consent to it.

Mr. CHARLTON. If the committee would accept the clause standing 8 in the Bill as it is printed, and which is an exact copy of the English Statute, section 3, chap. 69, 48 and 49 Vic., it would suit my views better, of course. Then it will read as follows:

No person shall be convicted of any offence under this Act on the evidence of one witness unless such evidence be corroborated in some material particular by evidence implicating the accused.

Then, in addition to this safeguard, we have in the next clause, the provision that in every case arising under this Act the defendant shall be a competent witness in his own behalf, which provision does not exist in the English Bill; so that we give a double safeguard, even if we strike out these words as regards both seduction and the promise of marriage. If the committee will permit the provision to stand as it is in the English Statute, with this added safeguard, that the accused shall be a competent witness in his own behalf, I think the Bill will be better than with the other provision left in, which I fear will nullify the Bill entirely.

The CHAIRMAN. The motion before the committee now is that the words which were added by the special committee to whom the Bill was referred, namely: "Both as to seduction and as to promise of marriage" be struck out, which would leave the clause as it was originally.

Motion agreed to; yeas 42, nays 23.

On section 6 (section 9 in original Bill),

Mr. CHARLTON. I move that the words added by the special committee, which are now rendered unnecessary by dropping the clause to which they refer, be struck out.

Motion agreed to, and Bill reported.

Amendments read and concurred in, and Bill read the third time.

HOLES IN THE ICE.

Mr. ROBERTSON (Hamilton) moved the second reading of Bill (No. 2) to amend the criminal law and to declare it a misdemeanor to leave unguarded exposed holes cut in the ice on any navigable or frequented waters. He said: I do not think I need occupy the time of the House in pointing out the different provisions of this measure. It has now been before Parliament several Sessions, and no doubt has been well considered by every hon. member. The Bill as now introduced is the same as that reported by a special committee to which the Bill of last Session was referred. It was entered on the paper but not reached. This Session I have re-introduced the Bill as reported by the committee, and I hope the House will consider that it is a measure which should receive its sanction. One of the principal reasons for the Bill is that experience has shown that great carelessness is practiced by parties who are engaged in harvesting ice in and about cities and towns, and the consequence is that very serious loss of life has occurred on many occasions. Only the winter before I introduced this Bill, some three years ago now, a valuable member of society in Hamilton had occasion to cross over the bay in his cutter, and it being dark he unfortunately drove into an ice hole, and was drowned. His death was a matter of very great grief, and the public were very much excited and considered that some legislation should take place to compel parties who were making money out of harvesting ice, to protect the holes they made.

Motion agreed to, and Bill read the second time.

CARRIERS BY LAND.

Mr. McCARTHY moved the second reading of Bill (No. 7) respecting carriers by land.

Mr. THOMPSON (Antigonish). In regard to this Bill I may say that the Minister of Railways thinks it very desirable that the commission which he proposes having appointed should take up this subject and deal with it in connection with the whole question.

Mr. McCARTHY. On the understanding that it is to be dealt with in that way during the recess, I shall ask that the order be discharged.

Order discharged, and Bill withdrawn.

CONSOLIDATED RAILWAY ACT, 1879.

Mr. McCARTHY moved the second reading of Bill (No. 8) to amend the Consolidated Railway Act, 1879.

Motion agreed to, and Bill read the second time.

LAW OF EVIDENCE IN CRIMINAL CASES.

Mr. CAMERON (Huron) moved the second reading of Bill (No. 23) further to amend the law of evidence in criminal cases.

Mr. THOMPSON (Antigonish). I think I should say a word or two on this Bill although in discussing it I am addressing hon. members who have already debated the subject on two or three occasions. I shall confine myself to giving my personal views upon the question and I therefore speak altogether for myself. I am in favor of the principle of the Bill and concur, generally speaking, in the arguments by which it is supported. But I am opposed to its being passed at present simply for the reason that it makes a most important change in the criminal law, one that has not yet been adopted in the Mother Country, but which is likely to be adopted either at the present Session of Parliament or at the next Session. It is, no doubt, quite true that this Bill is framed on the Bill which is likely to be passed in Great Britain. It may be, however, that the enactment there will receive important modifications as it goes through Parliament. I understand the probabilities are much more in favor of its passage during the present Session of the Imperial Parliament than they have been heretofore; but I think, in respect of the criminal law, much more than in respect of any other branch of the law, it is desirable to follow the beaten track of legislation and judicial decision. It is very desirable, at all events, not to adopt so fundamental a change as this is in the whole system of criminal procedure without either the sanction which such a change would receive from its adoption in the Mother Country or the advantage of the decisions of the tribunals of the Mother Country, which we know are almost implicitly followed in matters of criminal jurisprudence, and are the safest guides we have in administering that jurisprudence. While, therefore, I am in accordance with the hon. gentleman as to the principle of this Bill, I think, for many reasons, it would be inexpedient to adopt it, and perhaps more inexpedient just now, in view of the probability of its being adopted in the Mother Country in some modified form. I think it would be undesirable, and I think that next Session we would probably regret having adopted a measure which was found in its passage through the Imperial Parliament to have undergone important modifications.

Mr. CAMERON (Huron). I must confess that I cannot follow very well the logic of the Minister of Justice—it may be from my obtuseness, but at any rate I cannot follow him. He says he is in favor of the principle of the Bill; he thinks it is a good Bill; he thinks it ought to become