

the streams and watercourses, the law respecting escheats and forfeitures, the Liberal party did always unflinchingly resist any encroachment by the federal Government upon the rights of the provinces. Now, should the House pass this Bill into law, this would constitute an infringement of provincial autonomy. Therefore, as a Liberal, and, I may add, as a Canadian devoted to the constitution of our country, and wishing to have it respected, I am bound to register my vote against this legislation.

Mr. McNEILL. I entirely agree with the view that the civil servant should be obliged to carry out his contracts, as well as any other citizen of the Dominion. I am not prepared to say whether there is any great failing in that respect in the civil service or not. I do not know the facts. I think it is quite right that some steps should be taken in the direction, at all events, of securing to the creditor the right to recover from the civil servant as readily as he does from any one else. But I would venture to urge upon the Government the consideration of this point: That though it be right that the civil servant should be compelled to carry out his contract, the Government ought to take care that, in attempting to force the civil servant to carry out his contracts, they do not themselves set the example of breach of contract. I wish to emphasize, if I may, from my humble position in this House, what was said by the hon. Solicitor General (Mr. Fitzpatrick) in that regard, and I hope that, whatever steps they may take with regard to this matter, the Government will take care that they do not violate any contract, or implied contract, which may have been made with the civil servant who is already in the service. However good the measure may be, if it goes the length of striking at the root of the contract which is entered into by the country with its employees, I think it would be a very serious blow to public faith; and I would suggest that the Government take that part of the question into their serious consideration in any arrangement that they may make in this regard.

Motion (Sir Louis Davies) agreed to, and debate adjourned.

It being Six o'clock, the Speaker left the Chair.

After Recess.

CRIMINAL CODE AMENDMENT— SEDUCTION.

Mr. BRITTON moved that the House resolve itself into Committee on Bill (No. 12) further to amend the Criminal Code. He said: In making this motion I want to make some remarks now in reference to the Act itself and in reference to the Criminal Code, and the amendments that seem

to me to be necessary to the code. Although I would prefer not making these remarks in the absence of the Solicitor General and of others who are interested in a Bill like this, if I do not make them now probably I may not have another opportunity during the session. Therefore, I will make this motion, assuming that the Bill will not be disposed of to-night, and that before it reaches another stage, I may have the assistance of some members of the Government or of some other hon. gentlemen who are interested in putting the Bill into such a shape that it may be disposed of during the session. The first section of the Criminal Code that I wish to amend is section 684. This section makes it necessary that, in reference to any of the offences mentioned from section 181 to 190 inclusive, in order to obtain a conviction, there must be some corroborative evidence implicating the accused. Section 181 has reference to the seduction of girls above the age of 14 and under the age of 16. Sections 198 and 199 refer to unlawful intercourse with idiots and insane persons. I take it that there will be no discussion whatever as to the latter class of cases. There will be no difference of opinion that these cases ought to be placed in no different position from any other case where an offence is charged, and where a person may be found guilty on the evidence of one credible witness, or on such evidence as a court and a jury may think sufficient to convict a person. We know that our own law is very indulgent, and rightly so. Everybody is presumed to be innocent until he is proved to be guilty, and the benefit of any doubt must always be given to the prisoner. Every judge before whom a person is being tried for any offence will always tell the jury, and he will always act upon the principle himself if he is trying a case himself, that the benefit of every doubt is to be given to the prisoner, and conviction can only take place upon evidence clear, satisfactory and convincing. Now, as these last mentioned persons, idiots and insane persons, cannot give evidence themselves, there should be no more reason for the corroborative evidence of any person who knows of such an offence being committed against them than there would be in any other case. But section 181 stands on a different footing altogether. That section has reference, as I said, to the seduction of girls under the age of 16 and above the age of 14. There seems to me, in many cases, to be a failure of justice because of this section 684 requiring corroborative evidence. I will just give a concrete instance of cases that are in my mind, and that have led me to think that this law ought to be amended. They are cases of girls who are obliged to go out to service, their parents are poor and they let their daughters go out to service at an