

in England at the present time, I believe, it is the law in New York, and many other of the American states, and I see no reason why, in a country like Canada, the age of consent should be limited to sixteen years. The age of innocence, and of lack of knowledge of the wiles and ways of the world, does not pass away at the age of sixteen, in the majority of cases; and our young women are perhaps, in some degree, as unsophisticated and as liable to the wiles of the seducer between the ages of sixteen and eighteen, as prior to that age. The first proposal of this Bill is as follows:

Section 181 of the Criminal Code, 1892, is hereby amended by substituting the word "eighteen" for the word "sixteen" in the fifth line thereof.

Which would be fixing the age of consent at eighteen years instead of sixteen years. The next proposal of the Bill is to amend section 182 of the Criminal Code by substituting the word "eighteen" for the word "twenty-one." The age fixed when the male is liable to prosecution for seduction under promise of marriage in the Bill as it originally left this House, was eighteen; but in the Senate that provision of the Bill was changed, and the age was placed at twenty-one, so that no man under the law was liable for seduction under promise of marriage until he had reached the age of twenty-one. Some of the senators, in private conversation, thought that some of their boys might get into trouble if the law was not put into that shape. The proposal of the Bill is to make a man liable for seduction under promise of marriage, at the age that a girl ceases to be protected by the law limiting the age of consent, namely, at the age of eighteen. The third section of the Bill proposes to amend section 283 of the Code by substituting the words "twenty-one" for the word "sixteen," in the fourth line. Perhaps I had better read that section in order to make clearer the change that is proposed:

Every one is guilty of an indictable offence and liable to five years' imprisonment, who unlawfully takes, or causes to be taken, any unmarried girl, being under the age of sixteen years, out of the possession, and against the will of her father or mother, or of any other person having the lawful care or charge of her.

The amendment proposes to raise the age from sixteen to twenty-one. These are the changes in the Bill I now present to the House: First, to raise the age of consent from sixteen to eighteen; second, to make the man punishable for the act of seduction under promise of marriage if of the age of eighteen, instead of, as at present, twenty-one; and, third, to make the act of abduction punishable in the case of a female of twenty-one, or less, instead of sixteen, or less.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman who has charge of this Bill has stated that he has endeavour-

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ed to obtain legislation on this line for some years.

Mr. CHARLTON. I stated that efforts to get legislation such as proposed in the Bill had been made; but the Bill has been in operation for some years.

Sir CHARLES HIBBERT TUPPER. Yes; but efforts in the direction of amendments now proposed to the code were commenced some years ago. When I asked the hon. gentleman when these efforts were first entered upon, he said twelve years ago. I have not any recollection as to when the hon. gentleman undertook to bring this subject before Parliament. My object in referring to that matter is to call attention of the House to the fact that the subject has been before Parliament on many occasions, and a great deal of discussion has taken place. In England the subject has been considered. This is a question surrounded with a great many difficulties. No doubt the hon. gentleman is impelled to persist and continue his efforts by the agitation which, if I may say it without offence, for I mean none, is confined wholly to people who have had little or no experience in the administration of criminal law, but people who occupy very high and important positions in society, and in different parts of our country, and who, actuated by the very highest principles and best of motives, think they will secure society against evil, and prevent these serious offences taking place by making the law severe, and placing the age as the hon. gentleman now proposes. This whole subject was very carefully considered by this Parliament in 1892, and it is my duty to call the attention of the House to the fact that I find further that from no Attorney General connected with the administration of criminal matters in the provinces, or any of the judges, who watch these matters and take interest in them, has there been any statement or representation which would warrant me in coming to the conclusion that there was a desire on the part of those concerned with the administration of criminal law to secure the changes proposed. In England it was not till 1885 that the age was placed as it is in our code of 1892. The Joint Committee of the Senate and House of Commons in that year gave much attention to this subject. The hon. gentleman has spoken of the state this Bill left the House: but it received very careful consideration on the part of the committee, and Parliament, and whether the Senate took the action by which the law, as it now stands, was framed, or not, the result is, that outside of the people to whom I have referred making further and strenuous efforts to secure society against those evils, there is not a particle of information which Parliament should have in a case of this kind to lead it to venture further into legislation surrounded with in-