

causes. These children, freed from the grasp of the law, melt away into the mass from which the criminal convicts are recruited, and in their turn become convicts. The Bill provides no safety for this class, and holds out no hope that the country will be saved the costs of ultimately convicting and punishing them. To cover this class of cases, and to give the Courts before whom these juveniles, charged with crime, are brought, and to enable these Courts to have a restraining power over these offenders, I propose that the first section of this Bill be amended by providing:

"That where a boy is brought before a Court of competent jurisdiction, charged with any criminal offence or when, during the sittings of any such Court the boy is in gaol charged with any such offence, and the Court or Judge is satisfied that the material and moral welfare of the boy requires it, the Court or Judge may commit such boy to the Reformatory for five years."

But my hon. friend may say that such an amendment is carrying the power of the Courts too far; that when a criminal is placed on trial and acquitted, that the Court should still have the power of restraining him. But the hon. gentleman will see that this very principle is recognised by himself in the third and fourth sections, and is quite unobjectionable. The principle acted upon by Parliament, and recognised by the Courts is, that the material and moral welfare of the boy and the peace and good order of society is of the first importance. There is still another stage at which the strong arm of the law should reach these offenders. The hon. gentleman will find in the Code of the State of Maryland, ample provision made for bringing juvenile delinquents within reach of the restraining power of the law. That Code provides:

"That if a minor renders his control beyond the power of his father, by reason of his own incorrigible conduct, and if it is manifestly requisite that, from regard for the moral and future welfare of the minor and the peace and order of society, that the minor should be placed under restraint, the Courts have the power of sending such minor to the State Reformatories."

The Code of that State further provides for the commitment to the House of Refuge of incorrigibly vicious minors, whose parents, by reason of their own moral depravity or otherwise, are incapable or unwilling to

exercise any proper care or discipline over them. The hon. gentleman might, with propriety, and in the interest of society as well as the interest of the class he is now dealing with, introduce the provisions I have referred to into this Bill. I find that, in the State of New York, the law provides that children deserting their homes or keeping company with dissolute or vicious persons, are deemed disorderly, and liable on conviction to be sent to the Reformatory. All these laws are intended to reach a class of cases not covered by this Bill. They are restraining provisions, their object is to prevent rather than punish, to save the criminal and to save the State, and are, therefore, of essential importance in dealing with the criminal classes. I trust the hon. gentleman in charge of this Bill will see his way to adopting these suggestions, or at least, some of them, and thus make his Bill as full and perfect as possible.

MR. McDONALD (Pictou): With reference to the subject referred to by my hon. friend, I quite agree with him that it would be very desirable, indeed, that the class of offenders, to which he alludes, should be got at in some way or other; but I think my hon. friend will agree with me that it would not be desirable, for two reasons, without further consideration, to adopt his suggestion, at present. The first reason is, that however desirable the change may be it is a change which ought to be adopted—only after full consideration, and after provision being made for efficiently dealing with the boys, after being thus taken hold of and drawn into a reformatory school. There is another reason why I think it would be unwise to press that just now. There might not be the accommodation in the reformatories and they would be sent there under that provision. I think it desirable that my hon. friend should not press his amendment for the present, but in another Session we will be able to give this very important subject our attention.

MR. MILLS: There is another matter which requires consideration. It is not until a crime is committed that the authority of this Parliament attaches to the liberty of the person. So far as the anticipation of crime is concerned, any legislation in that regard belongs rather to the Government that has control over the education of the community, and over