

long and short term prisoners confined in the Saint John Penitentiary, as follows:—

| Year. | Total. | Long Term. | Short Term. |
|-------|--------|------------|-------------|
| 1867 | 131 | 27 | 104 |
| 1868 | 104 | 29 | 75 |
| 1869 | 83 | 32 | 51 |
| 1870 | 79 | 35 | 44 |
| 1871 | 74 | 30 | 54 |
| 1872 | 84 | 28 | 56 |
| 1873 | 104 | 31 | 73 |
| 1874 | 104 | 36 | 68 |
| 1875 | 108 | 54 | 54 |
| 1876 | 162 | 74 | 88 |

From the increase shown in these returns it is reasonable to argue that by the year 1878, the number of prisoners of the short term class will be at least one hundred. It is a well established fact that short-term prisoners are the most expensive to maintain. The average cost per head at the St. John Penitentiary for 1876 was \$177.83, and for 1875 it was \$247.03. As the above shows the average cost for long and short-term prisoners, and as short-term prisoners are admittedly more expensive than long-term prisoners or convicts, it would not be unreasonable to estimate the cost for short-term prisoners at an average of \$200 each, which for one hundred would give \$20,000, which sum capitalized at 6 per cent. would mean \$334,000; and if this great burden be thrown upon the Province, the expense would be relatively apportioned somewhat as follows:—Say, eighty per cent. upon the City and County of Saint John, and the remaining twenty per cent. distributed over other Counties throughout New Brunswick.

That inasmuch as The British North America Act devolves the burden of criminal legislation on Canada, thereby enabling the Parliament of Canada to determine what offences shall be punished by short terms of imprisonment, and what by longer terms, it would only appear reasonable that the Government of Canada should continue to admit into the new Penitentiary for the Maritime Provinces, now being constructed at Dorchester, such prisoners or convicts, whether for short term or longer term, as have since the year 1842 been admitted into the Institution now known as the Saint John Penitentiary.

That if, under color of legislation under which the rights of New Brunswick were not protected, the Governor General in Council decide to throw the burden of short term prisoners upon the respective Counties of New Brunswick, it will be the imperative duty of the Government of Canada to indemnify the Province, taking into consideration that the interest is a growing one, and that the expense will increase year by year.

That the importance of this matter, in the opinion of your Committee, demands the earnest consideration of His Honor the Lieutenant Governor in Council, to the end that the interests of the City and County of Saint John, as well as the interests of the other Counties of the Province, may be conserved.

Respectfully submitted.

ROBERT MARSHALL,
WILLIAM ELDER,
BENJ. R. STEVENSON."

Ordered, That the Report be accepted.

It appears only right, to state just here, that the General Quarter Sessions of the City and County of St. John, had during the years 1869 and 1870 given