

March 8, 1871

such that they could not hold out any hope to the people of this country that any profit would be derived from them.

**Hon. Mr. LANGEVIN** said that his remarks about the state of the roads, culverts, bridges, &c., applied to the rolling stock also. Large expenditures had been made in all these matters.

The motion was carried.

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#### THE FRANKING PRIVILEGE

**Mr. THOMPSON (Haldimand)** moved that an order of the House do issue directing the Postmaster General to instruct each Postmaster in the Dominion to take an accurate monthly account of all franked or free matter deposited or received at their respective offices, for twelve months, commencing 10th March next, and to make a special report to this House embracing the following particulars: vis, the number of franked or free letters, and amount of postage that would be chargeable thereon at the established rate of postage; the weight of franked or free matter other than letters, and the amount of postage that would be chargeable at the established rate of postage; also that the Clerk of this House furnish a detailed statement of amount paid for telegraphs by any officer of this House or by heads of Departments or employees of the Government. He was understood to say that he intended to introduce a measure to do away with the franking system.

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#### CONVICTS IN PENITENTIARIES

**Mr. HARRISON** moved for returns of all convicts in Kingston, St. John, and Halifax Penitentiaries. The motion, he said, had been amended in accordance with the suggestion of the Hon. Minister of Militia, and the initials of convicts was all that he asked for.

**Hon. Mr. HOLTON** said he did not see the necessity of taking this precaution. The returns would hardly go forth to the public.

**Hon. Mr. McDOUGALL (Lanark North)** entirely dissented from the view taken by the Minister of Militia. The sentences passed on criminals were not only as a punishment for them, but as a warning to others, and he thought it inconsistent with the principles of Criminal Justice that their sentences should be forgotten. He thought it most desirable that all the names of all the prisoners should be published, as in many cases circumstances might have occurred which mitigated the guilt, and justified their release, but having no friends and no influence at court, they had no means of obtaining a reconsideration of their case. As to the names being withheld in consideration for the prisoners, he thought they had no right to any such consideration.

**Hon. Mr. CAMERON (Peel)** said he thought the hon. gentleman had replied to his own argument. He had said it might turn out that many persons were not so guilty as had been supposed. Then why publish their names?

**Hon. Mr. McDOUGALL (Lanark North):** So that their cases could receive consideration.

**Hon. Mr. CAMERON (Peel)** thought the names should be withheld in consideration of the unfortunate families of the prisoners. The principal object of his hon. friend who had made the motion, was to ascertain whether there was any uniformity in the mode of administering criminal justice through the Dominion. He believed there was a very great difference in cases where the punishment was discretionary. He remembered a case in England of two Judges who had very different views of a certain description of larceny. On one occasion two men robbed a hen roost and one being caught was sentenced by the more lenient Judge to three months imprisonment. Thereupon the other gave himself up trusting to receive similar punishment, but chancing to be brought before the severe judge he was sentenced to seven years transportation.

**Mr. HARRISON** said in bringing the motion, his object had been as stated by the hon. member for Peel, to ascertain the amount of uniformity existing in the administration of criminal justice throughout the Dominion, and he considered his object would be fully attained by the publication of the initials. The convicts had been punished for crimes, but he did not think their relatives should have any unnecessary punishment.

**Mr. YOUNG** with reference to the remarks of the hon. member for Peel, he himself remembered an instance in which two lads having been convicted of the same crime, one had been sent to the Common Jail for twelve months and the other to the Penitentiary for life, simply in consequence of being tried before different Judges, and no doubt many such cases had occurred.

**Mr. HARRISON** also remembered an instance in which two men having jointly committed an offence, one was sentenced by a lenient judge to six months in the Common Jail, and the other by a severer Judge to six years in the Penitentiary.

The motion was carried.

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#### IMPORTS OF GRAIN, FLOUR, &C.

**Mr. ROSS (Dundas)** moved an address for a return of the quantity of grain, flour, and meal imported into the Dominion for the year 1870, shewing the amount imported free, and the amount paying duty, and hoped the return would be brought down very shortly.