

convicts and many other expenses, I should think, have fallen considerably.

Sir JOHN A. MACDONALD. There is an increase of two officers: one a blacksmith instructor at \$900, and the other a guard at \$600. The former has been found necessary in order to teach the Indians, who may be sentenced for long periods, the trade of blacksmithing. It was thought that they might be well employed in learning this trade as well as carpentering. In retiring gratuities there is an increase of \$100, which may not be required; then there is \$137 for officers' uniforms for winter and fall; and an increase of \$5,153 in the maintenance of convicts, the maintenance *per capita* being \$150.71. The increase is on account of increased population and estimated increases in the price of various sub-heads, such as rations, discharged convicts' clothing, discharge allowances, &c. The last item is asked for, but it may not be required. Then there is an increase of \$4,685 in working expenses. The Warden states that for heating alone they have to expend at least twice as much as would be expended for a similar institution elsewhere, the winter being a great deal longer and a great deal more severe. They can, he says, always count on six months winter. The prison is so badly built that they have to pay a very large amount for steam heating, and the pumping also requires a great deal of steam, the well which they have to use winter and summer being very deep. The item for light is also large, by reason of the winters being so long and the days so much shorter than in the Eastern Provinces. They have to use a very large quantity of oil, and moreover the breakage of lamps is very great, owing to the cold and other causes. The Warden has also asked for a considerable increase on the farm, as he intends going into farming extensively in 1884-85.

Sir RICHARD CARTWRIGHT. That may be correct; but I would call the hon. gentleman's attention to the fact that in 1883 84, 80 convicts cost only \$120 per head, while in 1884-85 they are estimated to cost \$150 per head. Now that does appear to me rather unreasonable, unless there be some explanation not yet given, seeing that while everything in Manitoba has apparently fallen in price, the price per head has increased 35 per cent., and that for a larger number of convicts.

Sir JOHN A. MACDONALD. I understand that last year's estimate was too low, and in the Supplementary Estimates there will be an item to make up the deficiency.

Sir RICHARD CARTWRIGHT. The hon. gentleman said something about Indians serving long terms.

Sir JOHN A. MACDONALD. Yes; a good many are committed for very serious crimes, such as homicides and horse stealing, for which they have to undergo long sentences. It was thought that these convicts might well be instructed in blacksmithing.

Sir RICHARD CARTWRIGHT. With regard to this question of terms it has been brought to my attention by various parties, some of them convicts themselves, that there is a very great discrepancy in the sentences inflicted apparently, for precisely similar offences by different Judges. No doubt this is somewhat delicate ground; but has it occurred to the hon. Minister that the Minister of Justice might, in some way or other, more or less supervise this matter? I know that in the minds of many men a feeling, and not an unnatural feeling, exists, that there is a good deal of injustice done as between different people in this way. One Judge will sometimes give a man seven or ten years for an offence for which another Judge inflicts only two or three years. A good many such cases have come to my attention.

Sir JOHN A. MACDONALD. That question has long attracted the attention of jurists and legislators in England and elsewhere; but no remedy has been found. A Judge

must act according to his best judgment and discretion in the circumstances of each case, taking into account not only the crime itself, but the moral guilt of the criminal. Then, again, the Judge may find that a particular kind of crime becomes epidemic, and may have to inflict severe sentences in order to crush it out. There is, it is said, a passion among the criminal classes to imitate and catch the contagion of a particular crime that becomes epidemic, and that attracts public attention, and severe sentences are inflicted to crush out such crimes. Of course the law fixes a maximum and a minimum of punishment; that is all the law can do; it must be left to the discretion of the Judge to fix the sentence. However, it has always been the practice of the Minister of Justice, when a petition is presented, as is frequently the case in favour of a prisoner whose crime is supposed to be rather severely punished, to transmit the petition to the Judge, with a request for a copy of his report and the evidence; and very frequently, if the man has behaved well and is considered to have been punished sufficiently by that time, or likely to be in two or three years more, and the Judge recommends a mitigation of his sentence, the report of the Judge is always acted upon. Then, a well-behaved convict receives a certain number of marks, which very materially diminish his sentence; and these marks roll up very rapidly. So that, on the whole, I think there is no practical severity. There may be individual cases; but there is no means of avoiding the fact that a Judge sometimes takes a rash view of a prisoner's crime. Some Judges are perhaps too lenient, and others too severe. The hon. gentleman, in reading the criminal history of England, will find that one Judge is called a hanging Judge, while in the case of another Judge it is said a man must have strong interest to get a severe judgment from him. These are idiosyncracies which cannot be guarded against. But while I believe there is no undue harshness in this Dominion, the proper administration of the law all over the Dominion is proved by the peace and order which prevail in the country. I think there is as little crime in this country as in most countries in the world. Of course, in times of great distress, crimes of larceny increase a good deal; but on the whole, I think there is very little crime in this country, as the certainty of punishment is so great as to be an effective deterrent.

Sir RICHARD CARTWRIGHT. That, no doubt, is all true; but it is also true that there is a very great difference in the sentences of different Judges for the same crime. It is a very difficult question, I admit; and I suppose it could only be dealt with by diminishing the maximum and minimum in some cases, which might be worth consideration. There is nothing like the amount of violence in our country, I am happy to say, that there is in most countries; but I am afraid there is a good deal of disposition in certain countries to convict offenders, and that has to do with the comparatively small number of penitentiaries.

Mr. SUTHERLAND (Selkirk). Is it the intention of the Government to put anything in the Estimates this year for enlarging the Manitoba Penitentiary and building a prison wall?

Sir HECTOR LANGEVIN. I am not prepared to answer the hon. gentleman now. There is nothing in the ordinary Estimates; but the Supplementary Estimates have not come down. I will not forget that the hon. gentleman has mentioned the matter to me.

Sir RICHARD CARTWRIGHT. How much land is attached to the Manitoba Penitentiary?

Sir JOHN A. MACDONALD. 160 acres.

Mr. SUTHERLAND (Selkirk). I hope the Government will seriously consider the subject of building a prison wall. In its present condition, the prison is not safe. I visited the penitentiary about two months ago, and I found