

If I may be permitted, I shall try to deal with the various questions that have arisen in the discussion, in the order in which they have been brought up. I notice the hon. member for Kingston City is not in his seat but I have quite a distinct recollection of his remarks of a few days ago and also on Saturday night in regard to penitentiary management. Not only during the present session but on former occasions he has expressed a very deep interest in regard to what I might term the youthful prisoners who are to be found in the penitentiaries of Canada. He has made a considerable study of the penitentiary system, particularly with reference to youthful offenders, and he has some excellent ideas on the subject. But I have this to say with regard to statements which he has made in the house, that the instances which he has cited of boys of fifteen and the like, who have been sent to penitentiary and who have subsequently turned out very grave offenders and hardened criminals, do not pertain to present day conditions. I think the instance he cited of a boy of fifteen occurred some fifteen or twenty years ago and the description he gave of punishment cells in the prison where prisoners became insane and of the horrible conditions said to exist pertained, I believe, to a period between thirty and forty years ago; but the impression left upon some hon. members was to the effect that such conditions pertain to-day. I mention these matters only to clear up the present position because the hon. member for Kingston City did not make it clear that the conditions to which he referred do not pertain to-day.

In regard to youthful offenders confined in the penitentiaries I may say that under the law of this country, where a youth under sixteen years of age has committed an offence, he is sent to one of the reformatories or provincial institutions which are scattered throughout Canada. It is only when a youth has been a prisoner in these institutions and has proved to be incorrigible and beyond control that a trial judge or magistrate is entitled to sentence him to Kingston or some other penitentiary. Since I have been Minister of Justice there have been cases where youths under sixteen have been sentenced to penitentiary, but fortunately in the Penitentiary Act there is a clause which provides that on receipt of a youth under sixteen the minister may forthwith remove that youth to a provincial institution, and in all the penitentiaries of Canada there is not to-day a single case of a youth under sixteen. Two cases have come up since I have been Minister of Justice and in both of them they were removed to provincial institutions.

[Mr. Guthrie.]

In regard to those between sixteen and eighteen years of age who have had no previous conviction, we have at the present moment two in St. Vincent de Paul, found guilty of armed robbery and sentenced by the judges of the courts of Quebec to seven years' imprisonment; we have two in British Columbia convicted and sentenced by the courts of the province to five years each, and we have one there convicted of the crime of perjury. That makes five. These lads have had no previous conviction and they are between sixteen and eighteen years of age. In Dorchester, New Brunswick, we have two convicted on charges of stealing and sentenced to two years. There is a special reason in the maritimes for the two-year sentence. Probably in Ontario or some of the other provinces the sentence would have been two years less one day, which would have allowed them to go to some of the provincial reformatories, but the maritime provinces are not well equipped with regard to reformatories. In Dorchester there is one between sixteen and eighteen years of age convicted of armed robbery, one convicted of manslaughter and sentenced to eight years, and one convicted of carnal knowledge of a child and sentenced to three years. That makes ten in all between sixteen and eighteen years of age throughout the Dominion of Canada. I find I have made a mistake; I did not give the proper total in regard to those under eighteen years of age because I find in St. Vincent de Paul there are nineteen under that age. The reason for that is that the provincial prisons in Quebec are not such as they are in Ontario and magistrates and judges sentence for the two year term in order to confine the prisoners in the penitentiaries rather than in the provincial gaols.

Between the ages of eighteen and twenty-one there is a total of 364 prisoners in Canada, as follows:

Penitentiary:	Number
Kingston	33
St. Vincent de Paul	141

Again no doubt owing to the fact that they have no provincial prisons such as there are in Ontario.

Penitentiary:	Number
Dorchester	50
Manitoba	38
British Columbia	34
Saskatchewan	21
Collin's Bay	18
Piers Island, Doukhobor prison	29

So that we have a total of 364 between eighteen and twenty-one years of age, forty-five between sixteen and eighteen and none under the age of sixteen in any penitentiary