

vict shall be kept in custody in such asylum under his sentence, until the expiration or sooner determination thereof, or until his removal elsewhere under the provisions of this Act, or his discharge by law.

3. If, before the expiration of his sentence, any convict so detained in an asylum recovers his reason, and such recovery is certified to by the surgeon or medical officer in charge of such asylum, the minister may in like manner direct the removal of such convict from such asylum to the penitentiary; and thereupon such convict may in like manner be removed and delivered again to the warden of such penitentiary, where he shall be kept in custody under his sentence.

Hon. Mr. SCOTT—There is no change in this clause except that the minister is substituted for the Governor in Council.

Hon. Mr. FERGUSON—No matter whether there is a change or not, we are now passing an Act from beginning to end, and I should like to have the information upon this point in reference to section 55 which has just been declared carried. If the convict becomes insane, this section provides that he may be sent to an insane asylum. As the insane asylums are all in charge of the provincial governments, what financial provision is made for such a case as that?

Hon. Mr. ROBERTSON—It is in the law.

Hon. Mr. FERGUSON—What part of it?

Hon. Mr. ROBERTSON—The federal government makes an arrangement with the provincial government.

Hon. Sir MACKENZIE BOWELL—That is one of the misfortunes which results from not reading the clauses. That practice leads to a great deal of discussion, simply for the reason that one clause is governed by the other, and none of us had time to look over the clauses to see what they contained. We are galloping along as though we were running a horse race.

Hon. Mr. SCOTT—Where we are not making any change, it was thought that it was not necessary to read the clauses. Where the law has been on the statute-book for thirty-five years, the clause is not read.

Hon. Sir MACKENZIE BOWELL—We have discussions which last half an hour, and when we look back at clauses which have not been read, we find discussion was not necessary. If the law as it stands on the statute-book for thirty-five years was all right, there was no necessity for consider-

ation. It might, however, be possible that some suggestions could be made to improve the old law just as it is proposed to improve it by the amendments which are being offered by the government.

The clause was adopted.

On clause 57,

57. If the surgeon certifies that the person is insane, the warden shall report the fact to the inspector; and the minister shall thereupon communicate the fact to the lieutenant governor of the province within which the person was sentenced, so that he may be removed to a place of safe keeping.

2. The lieutenant governor may, thereupon order the removal of the person to a place of safe keeping within the province, and he shall, upon such order, be delivered to the person therein designated, for transport to such place, and he shall remain and be detained there or in such other place of safe keeping as the lieutenant governor, from time to time, orders until it appears to the lieutenant governor that he is of sound mind, when the lieutenant governor may order him to be discharged; but if, at any time after his removal to such place of safe keeping, and before his complete recovery, the lieutenant governor thinks fit to order that he shall be given up to any person by him named, he shall be given up accordingly.

Hon. Mr. SCOTT—There is, as hon. gentlemen know, an insane ward in Kingston penitentiary and, except in the case of Manitoba and British Columbia, the insane are sent to Kingston. In British Columbia and Manitoba, the provincial governments are paid \$1 a day for the keep of the men who are sent from the penitentiary.

Hon. Sir MACKENZIE BOWELL—There is a lunatic asylum in connection with the penitentiary in Kingston. Is that a provincial institution?

Hon. Mr. SCOTT—Oh, no, federal.

Hon. Sir MACKENZIE BOWELL—It is only used for convicts.

Hon. Mr. SCOTT—Yes.

Hon. Sir MACKENZIE BOWELL—Does the provincial government of Ontario pay the expenses in connection with that?

Hon. Mr. SCOTT—No, I think not.

Hon. Sir MACKENZIE BOWELL—It cannot be under the control of the province.

Hon. Mr. SCOTT—No, these are under the control of the province of Manitoba and British Columbia, and in such cases the federal government pays to the province \$1 a day for each convict.