

tions and conditions in Canada. They visited and spent some time at Portsmouth penitentiary and elsewhere, and their report was that it was the best managed institution they had visited in either the United States or elsewhere, so it was not as bad as is depicted. I have sympathy for the Minister of Justice in the administration of that branch of his department. I agree with him that the minister cannot himself ascertain which man should be placed in a position as guard or otherwise, and has to trust to a large extent to the reports of the superintendent and the wardens, the men who are on the spot and who are responsible for peace and order in the penitentiaries. The minister must have as officers men whom he trusts, and apparently he has great confidence in his present superintendent. I hope his confidence is not ill placed and that the new superintendent will prove his ability further than by that famous report of his.

Mr. GRAY: I cannot let clause one, dealing with the governor in council appointing the superintendent, pass without replying briefly to the hon. member for Lethbridge (Mr. Stewart) who a few moments ago stated that because he or the government had not received protests from the Canadian Legion, it ill became those of us who sat in the House of Commons to raise the question that was raised this afternoon by the hon. member for Quebec South (Mr. Power) with respect to the wording of the report made by General Ormond. The hon. member for Quebec South this afternoon quoted a protest from the Canadian Legion at Kingston. I desire to place on record a protest presented to the government by the Ottawa branch of the legion, one of the strongest of the branches, composed of many returned soldiers, and one which has perhaps done more to relieve distress in its own city than has any other branch. When the hon. member for East Calgary (Mr. Stanley) attempts to defend this report and the Minister of Justice (Mr. Guthrie) tries to defend the appointment of this particular gentleman as superintendent of penitentiaries—

Mr. GUTHRIE: I defend his conduct, not his appointment. I did not appoint him.

Mr. GRAY: In any event it is interesting to note that one of the minister's appointees, the superintendent of the Royal Canadian Mounted Police, not only recommended this gentleman as superintendent but was one of those who sat in judgment on the appointment to the office. I mention this in passing because I think it is worthy of note. More-

over, when the hon. member for East Calgary states that this gentleman is a Liberal, it is interesting to note that he was recommended first by the Right Hon. Arthur Meighen, second by the Hon. Mr. MacPherson, Attorney General for Saskatchewan, and third by the Hon. F. G. Taylor, formerly leader of the Conservative party in Manitoba and recently appointed by the present Minister of Justice to the Court of King's Bench of that province. I leave it to the house as to the Liberal leanings of the gentleman appointed.

With respect to the protest by the Ottawa branch of the legion, which I desire to place on record, may I say that they first of all passed a resolution protesting against taking out from the operation of the Civil Service Act this branch of the service. Their second resolution was as follows:

That the Ottawa branch of the Canadian Legion desires to record its strong resentment and disapproval of the tenor of the remarks contained in the report recently submitted by the superintendent of penitentiaries, touching upon the qualities of the private soldier who served during the great war, considering such remarks as uncalled for reflection upon the rank and file who served in the Canadian expeditionary forces.

I leave that expression of the views of the Ottawa branch of the legion with the hon. member for Lethbridge.

Mr. KENNEDY (Winnipeg): This bill has to do with taking the appointment of the administrative staff of the penitentiaries from under the operation of the Civil Service Act and placing it with the governor in council. I do not propose now to debate the question of the advisability or otherwise of so doing. Most of the discussion late this afternoon and this evening has rather centred around an attack upon or severe criticism of the present superintendent of penitentiaries.

Let me say in passing that the purpose of the bill is to remove from under the operation of the Civil Service Act these appointments. It is contended by the sponsor of the bill, the hon. Minister of Justice (Mr. Guthrie), that the duties of these servants peculiarly unfit them for appointment by the Civil Service Commission. If the criticisms which have been levelled against the superintendent of penitentiaries are to be carried through to their logical conclusion, it would be an argument against at least that appointment being made under the Civil Service Commission, but I do not think we can generalize from individual cases.

The hon. member for West Lambton (Mr. Gray) has made reference to the contention