

On clause 37,—

HON. MR. O'DONOHUE asked—If the municipality refuses to pay, what becomes of the boy?

HON. MR. ABBOTT—Then the privilege given by this Act is not enjoyed. The magistrate will have to send the boy to an ordinary gaol. These industrial schools are supported by local funds, I presume. That is the reason why their use has hitherto been for the city of Halifax alone, and not for the Province. It is necessary that the legislation in Nova Scotia should be verified before this goes into force. The legislation, I understand, has been passed, but it has not yet been communicated to us, and we desire to see it before we put this in force.

The clause was adopted.

On the 39th clause,—

HON. MR. ABBOTT said: I propose to add some further clauses to the Bill, also with reference to Manitoba, and with reference to this same reformatory. They are similar to, only expanding, those which appear in the Bill. They are as follows:—

"86. If any respectable and trustworthy person is willing to undertake the charge of any boy committed to the Manitoba Reformatory for Boys, when such boy is over the age of twelve years, or as an apprentice to the trade or calling of such person, or for the purpose of domestic service, and such boy is confined to the reformatory by virtue of a sentence or order pronounced under the authority of any Act of the Parliament of Canada, the superintendent of the reformatory may, with the consent of the Attorney-General of Manitoba, bind the said boy to such person for any time not to extend, without his consent, beyond a term of five years from the commencement of his imprisonment; and the Attorney-General shall thereupon order that such boy shall be discharged from the said reformatory on probation, to remain so discharged, provided his conduct during the residue of the term of five years from the commencement of his imprisonment continues good; and such boy shall be discharged accordingly, provided that any wages reserved in any indenture or apprenticeship made under this section shall be payable to such boy, or to some other person for his benefit.

"2. No boy shall be discharged under this section until after the fixed term of his sentence has elapsed, unless by the authority of the Governor General."

HON. MR. POWER—Do I understand that the Attorney-General has the power to bind out a boy?

HON. MR. ABBOTT—Yes; to any respectable, trustworthy person who is willing to undertake the care of the boy.

HON. MR. POWER—Suppose the boy is a Protestant, and the Attorney-General a

Catholic, and that boy, against the will of his Protestant parents, is apprenticed to a Roman Catholic farmer in the neighborhood: I think there should be some regard for the feelings of the parents. The parents may prefer to have the boy left in the reformatory rather than have him bound out to a person of a different creed. There is some question whether that unlimited power should be given to the Attorney-General.

HON. MR. GIRARD—Would it not be better in such a case that the parents should give their assent? Otherwise, I think it would be better for the boy that he should remain in the reformatory.

HON. MR. POWER—I think it should be qualified by saying: "With the assent of the parent or guardian."

HON. MR. ABBOTT—A parent or guardian, for the time being, has ceased to have control of him. It is not, by the way, the Attorney-General who binds out the boy; it is the superintendent of the institution, with the assent of the Attorney-General. It seems to me a pity to introduce religion into this question.

HON. MR. POWER—Religion will get in, and we must provide for it.

HON. MR. ABBOTT—The position is, that a boy guilty of an offence is imprisoned under the law, and maintained at the expense of the country. The superintendent, who must be supposed to have some discretion, and the Attorney-General, who must also be supposed to have some discretion—

HON. MR. POWER—That is a rather violent supposition in this case.

HON. MR. ABBOTT—It is very probable, one might suppose natural, if the parents made any objection to a boy being bound out to a particular man that their objection would be respected. At all events, it ought not to be within the power of parents who have brought up their boy in such a way that he commits crime, so that the Province has to maintain him, to prevent the superintendent binding him out because they do not wish to let him go to a person whose form of worship may not be the same as theirs.