

He has displayed an irritating manner of exercising authority which, we are convinced, has been reflected, not only in the discipline of the penitentiary staff, but in that of the inmates, and, in our opinion, this was one of the major contributing causes of the sixteen riots or disturbances which have taken place since the Superintendent assumed office.

The Superintendent's particular part in the unsatisfactory aspects of the administration of the penitentiaries is referred to in detail throughout this report. His record since he took office has not been a success. He has displayed great diligence in exhaustive attention to a multitude of details, but he has, in the opinion of your Commissioners, failed to grasp fundamental principles so essential in the performance of the important executive duties connected with the office of Superintendent. He has completely lost the confidence of the staffs of all the penitentiaries and, without this, no administration can succeed. Your Commissioners are of the opinion that it is necessary to the good management of the penitentiary service that the Superintendent should immediately be retired, and they recommend accordingly.

Hon. Mr. DANDURAND: I move second reading of the Bill.

Hon. Mr. GORDON: Will my honourable friend answer the question I put to him? When the commission went over to England it examined certain officials of the British penal institutions. Why did it not take the evidence also of convicts? I may say to my honourable friend that I have read that part of the report in which the commission deals with the evidence it obtained from the convicts in our penitentiaries.

Hon. Mr. MURDOCK: Then I do not think my honourable friend can show that the commission examined 1,800 convicts. Obviously he is mistaken. It would be foolish for a Canadian commission to interview convicts in the British penitentiaries. In order to find out anything about the handling of convicts in those institutions it would naturally seek information from the officials over there.

Hon. Mr. GORDON: Why did it not do that here?

Hon. Mr. MURDOCK: It did in every case, as my honourable friend will find if he reads the record.

The Hon. the SPEAKER: The question is on second reading of Bill 175, an Act respecting Penitentiaries. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. SENATORS: No.

Hon. Mr. DANDURAND: Carried.

Some Hon. SENATORS: No.

Hon. Mr. MURDOCK.

Right Hon. Mr. MEIGHEN: I am satisfied, so far as I am concerned, to be recorded against the Bill. If, however, honourable senators wish to have a division, I am quite agreeable to that, and shall vote against the Bill.

Hon. Mr. DANDURAND: I move the House into Committee of the Whole.

#### CONSIDERED IN COMMITTEE

The Senate went into Committee on the Bill.

Hon. Mr. Coté in the Chair.

Section 2 was agreed to.

On section 3—Minister to have control:

Right Hon. Mr. MEIGHEN: Again I wish to protest against endeavouring to go through this Bill in committee. Look at the size of it! Here is a Bill of twenty-seven pages, which we are expected to deal with clause by clause. I protest against attempting to do so within a few hours, maybe a few minutes, of prorogation. It is just a fiasco.

Hon. Mr. DANDURAND: Will my right honourable friend allow me?

Right Hon. Mr. MEIGHEN: Certainly.

Hon. Mr. DANDURAND: I am informed that most of the sections are consequential amendments, based upon the fact that the superintendent is to be replaced by a commission.

Right Hon. Mr. MEIGHEN: Why go into committee on the Bill, then?

Hon. Mr. DANDURAND: All right. I move that we accept the Bill and report it.

Hon. Mr. GORDON: To the convicts.

Hon. Mr. McRAE: I move in amendment that the committee rise and report progress.

Hon. Mr. DANDURAND: No. We have agreed to the motion for second reading.

Hon. Mr. McRAE: No. His Honour the Speaker did not make a ruling. We would have had a vote then had we been given the opportunity.

Hon. Mr. DANDURAND: If my honourable friend desires to register his vote, we can report the Bill and proceed to third reading. Then he may move the six months' hoist.

Hon. Mr. McRAE: Mr. Chairman, I take the position that we did not properly pass the second reading. To my way of thinking, the noes were in a majority, but His Honour the Speaker did not make a ruling.