

only disqualification that could be enacted would depend upon a conviction. Having been convicted of polygamy, it would be possible in the Franchise law to disqualify a person so convicted from exercising the rights of a citizen, but a man who commits murder is not disqualified from voting after he submits to his punishment, and it would be a new principle to introduce in the criminal law to superadd to his punishment disfranchisement.

HON. MR. MACDONALD (B. C.)—A man convicted of murder could not very well vote if he was hanged.

HON. MR. ABBOTT—Men convicted of the most serious and revolting crimes sometimes escape capital punishment. I mention the case of murder to show that the most infamous crimes have not hitherto entailed disfranchisement, except while the offender is suffering his punishment. So that my colleagues did not see their way to embodying that as one of the disqualifications in the franchise law.

HON. MR. MACDONALD (B. C.)—Then with regard to juries?

HON. MR. ABBOTT—I did not enquire into that, but I take it that that would come (under the provisions of the North-West Territories Bill which we are about to pass) within the jurisdiction of the Local Legislature.

HON. MR. LOUGHEED—But this Parliament reserves to itself the power of regulating juries with reference to criminal cases.

HON. MR. ABBOTT—Then it would come properly under this Bill. There is a disqualification, I presume, in the enactment with regard to juries. If there is a disqualification for crime, polygamy might be included in the list of offences.

The clause was adopted.

On clause 18,—

HON. MR. ABBOTT—This clause, in reality, is intended only for one purpose. Under the law as it stood it was questionable whether workmen were not indictable for conspiring not to work, and it is not the intention of the law to punish them for acting in concert in refusing to work, so long as they do not impede other people

from working, and it is to make it plain that they have this right that this clause is amended?

HON. MR. DEBOUCHERVILLE—I would like to call attention to what seems to be an anomaly in the law. A threat by letter to burn or destroy is punishable; if the threat is by word I do not see that under the law it can be punished. Should not that be remedied.

HON. MR. ABBOTT—My hon. friend will perceive that there may be threats under section 2 of the Bill which are not in writing.

HON. MR. DEBOUCHERVILLE—It has happened in my experience that a person threatened to burn my house or barn, and I did not know how to get hold of him.

HON. MR. ABBOTT—The law is very long and somewhat complicated, and I cannot detain the House at this moment to see how far I could cover the case which the hon. gentleman desires to meet; but I suppose that a person who threatens another with violence is liable to action for breach of the peace.

HON. MR. KAULBACH—Or to find bail for good behavior.

HON. MR. ABBOTT—I think my hon. friend will find the ordinary police law on the subject is sufficient, but I shall look into it.

The clause was agreed to.

On section 31,—

HON. MR. ABBOTT—This is a clause to make it clear that a prisoner sentenced for any time by court martial may be imprisoned for a time in the penitentiary or in the common gaol. Some judges of the courts seem to have a doubt about that, and this is to make it clear that they have the right so to sentence.

HON. MR. POWER—I do not suppose that any difficulty will arise about it, but at Halifax there are military or naval prisons, and under this clause it is possible that in order to avoid expense the military authorities might sentence their prisoners to the penitentiary, instead of sending them to the military prisons.

The clause was agreed to.