

Sir JOHN A. MACDONALD said if there was reason for the passing of the Act in 1878, there was reason for its maintenance now. The fact that the Act had been on the Statute-book and had not operated so far, did not justify the statement that it was unsuccessful. The same reason applied now for keeping it on the Statute-book that applied for the passing of the Act.

Bill reported.

DOCUMENTARY EVIDENCE IN COURT.

Mr. McDONALD (Pictou) moved the second reading of Bill (No. 33) to amend the law respecting documentary evidence in certain cases. He said that this Bill related to the admission of documentary evidence in the Courts. It was really a transcript of the Imperial Act, passed, he thought, in 1868, with regard to the admission of documentary evidence in Courts, and was supplementary to the several Statutes on that subject in the several Provinces. It provided for the admission of proclamations, Orders in Council, and public documents of that kind.

Bill read the second time, considered in Committee, and reported.

HALIFAX INDUSTRIAL SCHOOL.

Mr. RICHEY moved the second reading of Bill (No. 3) to amend chapter 32 of the Acts of 33 Victoria (1870), entitled: "An Act to empower the Police Court in the city of Halifax to sentence juvenile offenders to be detained in the Halifax Industrial School." He said: The Halifax Industrial School was an institution originating in private benevolence, established for the purpose of assisting in educating poor and friendless boys. It had proved very useful in that direction, and as no reformatory existed in the city of Halifax, there was no place to which youths who were brought before the Police Court and found guilty of petty crimes could be sent, except to the city prison. It was therefore thought desirable that youths of that description should be committed to the Halifax Industrial School and placed under the direction of its board. An Act had therefore been passed by the Legislature of Nova Scotia, previous to Confederation, reciting that "for the further promotion of the benevolent design of such society it is desirable to authorize and empower the Police Court of the said city to sentence juvenile offenders to such Industrial School, and to provide for their support while there." The institution was one the management of which was in the hands of the Protestant portion of the community, and the Bill provided that:

"Whenever any boy being a Protestant and a minor, under the age of eighteen years, shall be convicted before the police court or the stipendiary magistrate, of any offence of which, by law, he would be liable to be sentenced to imprisonment either in the City Prison or the City Juvenile Reformatory, the Police Court or Stipendiary Magistrate shall have power to sentence such boy to such term of confinement in the said Industrial School not exceeding five years, as to the said Police Court or Stipendiary Magistrate may appear proper, provided such term of imprisonment shall terminate when such boy attains the age of twenty-one years."

He might say that the reformatory was only a room set apart in the city prison, and not a separate institution. The Bill also provided for an amount being paid by the city of Halifax for the support of each of those boys while in the institution; that the premises should be open to the inspection of the mayor, aldermen or Stipendiary Magistrate. With regard to the escape of such boys, it provided as follows:—

"If any boy so sentenced as aforesaid shall escape from the said industrial school, he shall, on proof of his identity before the Police Court or stipendiary magistrate be remanded to that school, there to serve the remainder of his original sentence, with such additional term as to the said Police Court or Stipendiary Magistrate may appear proper; and in case of any boy escaping a second time he shall not be remanded to the

industrial school, but he shall, on proof of his identity as aforesaid, be sentenced as incorrigible by the said Court or Magistrate to such term of imprisonment in the City Prison, not exceeding five years, as to the said Court or Magistrate may seem proper."

The difficulty which it was proposed to remedy by the present Bill, was the inducements offered to the boys by persons outside of the institution, to escape. The clauses of the Bill were identical with those of an Act relating to the Reformatory School of Quebec. He should say, however, that in 1879, an Act was passed by this Parliament—33 Victoria, chapter 32—precisely similar to the Act of the Nova Scotia Legislature to which he had referred, in order to quiet any doubts that might arise regarding jurisdiction. In 1869, the Act 32-33 Victoria, chapter 34 was passed, respecting juvenile offenders within the Province of Quebec, and he proposed to apply certain provisions of that Bill—with regard to the punishment of persons assisting in the escape of boys from certified reformatories, or harboring them after escape—to the Halifax Industrial School.

Mr. BLAKE. Are the penalties the same?

Mr. RICHEY said they were.

Mr. BLAKE said there could be no objection to such legislation as the hon. gentleman proposed, as the institution to which the Bill referred was one which had been legalized by an Act of this Parliament. He thought, however, that there was no reason why they should depart from the very wholesome principle of our Criminal Law—the very principle on which the Criminal Law had been brought within the purview of this Legislature—the principle of uniformity or generality of application. As there were so many institutions of the kind referred to by the hon. gentleman, springing up in all the Provinces—for instance, the Mercer Reformatory of Ontario, which was recognized by an Act of last Session—he suggested to the Government that it would be well to introduce a general law providing appropriate penalties against the commission of such offences as those against which the present Bill was directed.

Mr. McDONALD (Pictou) said he agreed with the suggestion of the hon. gentleman, and that in view of the numerous applications which were now being made for special legislation on the subject, he thought the time had perhaps arrived when a general measure should be submitted to the House.

Mr. BLAKE said a general Bill in the general line of the one before the House might be brought down this Session.

Mr. McDONALD. I think, however, that the Bill of the hon. member might in the meantime have the second reading.

Mr. MILLS said he thought that provisions of the same character as those proposed in this Bill were included in a Bill passed by the Local Legislature of Ontario last Session. This would seem rather to be a police matter as an incident to the establishment of a school system for the reformation of boys, than a part of the Criminal Law.

Mr. BLAKE said his hon. friend would observe that this matter was a reformatory measure in one sense, but it was also a measure for perfecting a system of confinement for persons who were convicted of crime. This was a particular mode of imprisonment with a view to reformation, but it was certainly dealing with Criminal Law.

Bill read the second time.

THE SUPREME COURT ACT.

On the order being called for the second reading of Bill (No. 4) to repeal "The Supreme and Exchequer Court Act" and the Acts amending the same,

Sir JOHN A. MACDONALD. With respect to this item, although the first reading was moved by an hon.