

in the House, which is two more than a quorum.

The House having resumed in Committee of Supply, Mr. Seigny in the Chair:

Mr. DOHERTY: The first thing that seemed to call for improvement was the condition in regard to the insane convicts. Sometimes, when you improve a system, you alter the situation in regard to individuals. Very shortly after the close of last session I took up the matter of the removal of the insane. It was not a thing that could be done in a day. Arms were not held wide open to take these people off our hands. It was a matter of persuading the provincial authorities to allow these men to be removed. It took some months of correspondence, and it might have been done more promptly if there had not been other matters of considerable importance that occupied a great deal of the time of the Minister of Justice. We have not lived an ordinary year, and it is not only penitentiary matters that have had to wait. It was necessary for me to deal with this matter personally before I could bring about any consent to take these insane persons off our hands. I do not think this is the best way to deal with this question. I hope we shall have an institution under Dominion control for convicts of this class, but in the meantime we have adopted the best possible method of disposing of the matter. We are now dealing with the whole system of the regulations and with the whole body of the recommendations. They are important recommendations. Many of them commend themselves to my judgment, although I do not agree with them all. I have taken means of ascertaining to what extent precisely they ought to be carried out. I thought that in dealing with them it was a reasonable and fair thing that I should endeavour to have the views of the men who have experience in administering the penitentiaries. I do not look upon them as being infallible, but I think it is the part of wisdom to have the benefit of their judgment. These recommendations have been submitted to all the different wardens and we have received the last of their reports. We propose now to take up the question of making regulations.

As regards what has been said about tubbing and hosing, it is hardly fair, although I do not impute any intention of unfairness, to let it go broadcast to the world that this tubbing is a matter of recent

occurrence. I followed the hon. gentleman as carefully as I could, and if I am not mistaken the last case which he described as tubbing was a case that occurred seven years before the evidence was given. At all events, I think we can agree that it was a number of years anterior to the time when the evidence was given, which was in 1913. I would say that it was five or six years before the evidence was given, which would place it in 1907 or 1908. In face of that circumstance I think we might fairly say that tubbing is not one of the things we have had to contend with to-day. In regard to this punishment of hosing, we have had no recent case. The hon. gentleman says that my answer gave it as May, 1913, and that the witness to whom he referred said it was in July. I think the witness he refers to must be mistaken. It is only a matter of two months anyway, but the reason I think is, as I say, that since the beginning of the wardenship of Colonel Irvine there has been no hosing, and the wardenship of Colonel Irvine began about July. However, it is not very material, except as a matter of absolute accuracy.

Mr. EDWARDS: I think that if my hon. friend looks at his brief he will see that the evidence of Grey is that the last tubbing took place in July, 1913.

Mr. DOHERTY: I am only pointing out why he must have been mistaken, but at all events it does not matter very materially. I wish to say with regard to this punishment that I am not here to defend it. It is a punishment provided under regulations, and I am informed it was approved by Order in Council on the recommendation of the Hon. David Mills, who certainly was known in days past as a most humane man, and I am informed, with the approval of Sir Oliver Mowat, who was also a humane man. I may also point out that the majority of the wardens of the penitentiaries, men of high character, and some of long experience, looked upon this as a desirable form of punishment as a last resort. I do not point this out for the purpose of saying that it is a thing that ought to be continued, but for the sake of showing that it is not fair to condemn as cruel for the infliction of this punishment a man holding office in which it is prescribed to him by higher authority that this was a suitable punishment to inflict.

We have taken up this whole subject very seriously. We have not been able