

This Act repeals all Acts relating to Penitentiaries previously in force in any of the Provinces of the Dominion. It authorizes the Governor General to appoint three Directors,* to have the control and management of all the Penitentiaries of the Dominion.

This Act contains certain important provisions, different from those hitherto in force in the Penitentiaries of the Dominion.

The following are the most important new provisions:—

1. Every convict must undergo at the commencement of his imprisonment a certain amount of separate confinement.
2. Convicts are to be classified according to their conduct and industry in the Penitentiary, by means of the 'Mark' system.
3. Convicts can, under certain regulations, earn a remission of certain portions of their sentence.
4. The Governor General has, in effect, authority to employ certain classes of convicts in public works. (See sections 12 and 19.)

REFORMATORIES.

There are only two Reformatory Prisons, or prisons for juvenile offenders, in the Dominion. One at Penetanguishene, on Lake Huron, in the Province of Ontario, and the other at St. Vincent de Paul, near Montreal, in the Province of Quebec.

Both of the above prisons are used for male prisoners exclusively.

The Provincial Act establishing Reformatory Prisons (22 Vic. cap. 107) authorizes the confinement therein of any prisoners not over 21 years of age at the time of trial. Upon the recommendation of the Board of Inspectors, the Government requested the Judges not to sentence to the Reformatory Prisons any persons over 17 years of age at the time of trial.

The length of sentence is not less than six months, or more than five years.

such prison has a Sheriff's powers for his removal. A convict in a Penitentiary who appears to be under 16 yrs. of age, and susceptible of reformation, may by the Governor be transferred to a Reformatory Prison. Convicts are to be clothed suitably at the public expense, fed on sufficient wholesome food, except during sickness or other incapacity, to be kept at hard labour (of a kind to be determined by the Warden) 10 hours per diem. None to work on Sundays, Christmas, Good Friday, and Fast or Thanksgiving days proclaimed by the Governor, nor Roman Catholics on obligatory holidays of their church. An exemplary convict may be permitted to work over hours, and receive payment for his work, to be kept for him or handed over to his family, as he desires. Convicts are confined in separate cells, except when employed or sick. The Directors may draw up regulations for the discipline and correction of convicts, one of which shall enforce the silent system on them. A list of prison offences shall be drawn up for their information and warning. No corporal punishment or remand to the penal prison shall take place until the Warden has taken evidence upon oath concerning it, nor more than 60 lashes shall be inflicted. The Governor appoints the Warden, Deputy Warden, Chaplains, Surgeon, and Accountant for each Penitentiary, and an Architect. The Directors may suspend and report them for misconduct, and recommend their removal. The Directors appoint teachers, the storekeeper, steward, chief keeper, matron, and deputy, and so many trade inspectors and keepers as may be required. The Warden may suspend any of them till the next meeting of the Directors. The Warden appoints the deputy, assistant, matron and clerk, and so many guards and other servants as the Directors may authorize, and he may suspend or dismiss them, reporting to the Directors. Pay may be suspended while officer is suspended. Fines not exceeding 1 month's pay may be imposed for neglect of duty. The Warden, subject to the laws and regulations, is the chief executive officer, and is responsible for the administration of the affairs of the Penitentiary. A convict whose sentence has expired shall not be discharged while suffering from an infectious or dangerous disease, nor, without his own consent, from the 1st of November to the 1st of April. After 1st April one per day only is to be discharged until all are free. They are to have a suit of clothes other than prison clothes, and money enough to take them to the place where they were sentenced, and a sum not exceeding \$3 besides. If a sentence expires on Sunday, the convict may be discharged on Saturday, unless he prefers to stay till Monday. Articles taken from him on his going in shall be restored, unless he has desired them to be disposed of, when their value is so restored. The Governor, any Lieutenant-Governor, or member of the P. C., or of the Executive Council of a Province, any member of either House of Parliament, or of the Local Legislatures, any Judge of any Court of Record, and any Q. C., may visit a Penitentiary at any time, but no other person, except by permission of the Warden, and under regulations made by the directors. Any person trespassing in the buildg, or on the premises, is liable to a penalty of \$10, or of \$5 for a second offence. An inquest is to be held on all convicts supposed to have died from other than ordinary causes, and the Coroner and jury are given free access to the prison. The bodies of convicts dying, unless claimed by friends, are given up to an inspector or professor of anatomy. Female convicts are to be kept secluded and apart, under the charge of the matron and female officers, and employed at such work as the Directors may order. The Warden shall give security in \$3,000, Accountant \$4,000, Storekeeper \$3,000, and Stewart \$1,000. No director, officer, or servant, shall be a contractor or interested in a contract with the penitentiary, under a penalty of \$50. The warden and other officers, except the surgeon, must exercise no other call. The G. in C. fixes the salaries, the maximum and minimum being laid down in a schedule to the Act. The warden to get from \$1,000 to \$2,600. The warden is a corporation sole, and all contracts are in his name. The personal property is vested in his name for behoof of H. M.; but the real estate in H. M., but in his custody and care. Such property is exempt from all taxes. In case of differences between the warden and those having dealings with him, they may, by consent of the directors and the party concerned, refer the matter to arbitration. The warden shall preserve a complete set of the reports made respecting his institution to Parliament, and for that purpose, and for making exchange with foreign institutions, shall be furnished by the Chief of the H. of C. with fifty copies of every such report printed by order of the House. No vessel shall moor or anchor within 300 feet of a penitentiary wharf without leave of the warden, under a penalty of \$25. Any persons carrying in spirits or fermented liquors or tobacco, except under the regulations, except for the warden, shall forfeit \$10. Penal cells may be constructed in a Penitentiary for the solitary confinement of prisoners during a portion of their term of imprisonment. A record is kept of every convict's conduct. If it be altogether exemplary, he may earn a remission of not more than five days in a month of his sentence. If sick, he may be allowed 24 days per month for exemplary conduct. Rockwood Asylum and all land attached to it is declared to be part of Kingston Penitentiary, and the directors have the same power over it as over that institution. Any convict reported insane by the surgeon of the Penitentiary to the warden, may, if the medical superintendent of the asylum, after consultation, concurs in the opinion, be removed thither. If he recovers before expiry of his sentence, he shall be returned to the Penitentiary. If his term expire while he is in the asylum, he shall be kept there, the reason of detention being notified to the Secretary of State and War. If he thereafter becomes sane, the medical superintendent discharges him, or, before his recovery, the Governor may order him to be given up to a person named in a Secretary of State's warrant. The G. in C. may order other convicts to be received in Rockwood. The Governor appoints the medical superintendent and assistant, and the accountant; the directors appoint the steward, and the superintendent the other officers and servants. The salary of the superintendent is to be from \$1,000 to \$2,000, and such allowances for fuel and lights as the G. in C. may allow. The G. in C. fixes the salaries of the other officers, &c.

* These Directors are J. M. Farres, Esq., Chairman, Lachine; T. J. O. Neill, Esq., Toronto; and Dr. F. Z. Tassé, St. Laurent, Montreal.