

# LEGISLATURE OF ONTARIO

## SECOND PARLIAMENT—SECOND SESSION.

FRIDAY, Feb. 14.

The SPEAKER took the chair at three o'clock.

### PETITIONS.

The following petitions were presented :—

Hon. Attorney-General—Petition of James Ingersoll and others, of Woodstock, praying that no Act may pass to authorize the Town Council of Woodstock to sell certain lands on Vansittart-street.

Mr. Fairbairn—Petition of Ignace Dumouchelle and others, of Sandwich East, praying that the Act to confirm a certain survey in the 3rd concession of Sandwich East may not pass.

### MUNICIPAL BILL.

Several standing and special Committees presented reports, and among them the Committee on the Municipal Bill, which was reported with some amendments.

### CENTRAL PRISON CONTRACT.

Attorney-General MOWAT moved that this House will on Monday next resolve itself into a Committee to consider the following resolution :—That the proposed contract between the Inspector of Prisons and Asylums and the Canada Car Company, respecting the labour of prisoners confined in the Central Prison, do receive the concurrence of this House. He said he need not remind the House that the object of establishing the Central Prison was to provide for the usual advantages that would result from prisoners being kept at work instead of being left in idleness ; being occupied having the effect of leading them to habits of industry and virtue, whereas, if they are left in idleness their habits become worse. The Act under which the Central Prison had been established was passed in February, 1871. The policy of employing the prisoners in this way was adopted by the Legislature at that time, and considerable progress had been made towards the erection of necessary buildings. The vote in the first year was \$150,000, and last year a further sum of \$100,000 was voted. While this work was in progress, and during the summer of last year, a question rose between the Government and the Canada Car Company, which was then about being established, that Company succeeding a Company called the Toronto Steel Works Company. The Government of this country had purchased from the Dominion Government a piece of land for the purpose of erecting this prison and providing the necessary grounds. They had also purchased a small tract facing on Strachan-avenue of some five acres, for the purpose of isolating the prison buildings. This piece was under a lease to the Steel Works Company, which extended till 1880. The Company had applied to the Dominion Government to purchase the land or get the lease still further renewed. This application was founded on the right of pre-emption and upon the courtesy of Governments in these matters upon which the Company said they relied. This portion of land was considered of very great importance, as isolating the prison buildings from the surrounding territory. The effect of the occupation of these five acres by the Car Company was that the buildings erected thereon would overlook the Central Prison grounds, and would facilitate very much communication between the workmen of the Company and the prisoners. In consequence of the existence of this lease for seven years and the claim which the Company was making, the Inspector suggested that an arrangement might be made with the Company which would answer all the purposes of the Company, and at the same time answer the purpose of the Government with reference to the labour of prisoners. The Inspector had in previous reports discussed the comparative advantages of the contract system and the system of hiring out labour and the system of carrying on the work under the management and at the risk of the Government, and his preference was expressed for the system of Government supervision; but having reference to the peculiar circumstances of the present case and the kind of work which the Car Company proposed engaging in, he thought it would be advisable to make some arrangement with the Company. The nature of the work to be conducted by the Car Company involved the employment

of ten different and valuable trades. It was necessary, to avoid expense and delay to the public interest, that there should be some decision come to at once in reference to the kind of work to be done and the way it was to be conducted. Up to that time no decision had been come to, and upon that decision would depend a variety of things in the buildings—the extent of work-shops, the interior arrangements of the buildings, and the kind of machinery to be put in ; and if the buildings were to go on without such a decision, it could only be at an unnecessary expenditure afterwards that they could be adapted to any kind of trade for which they were not built in the first instance. Having regard to all these facts, negotiations were entered into by the Inspector, on behalf of the Government, to see if some satisfactory arrangement could not be come to. The Company in the first instance looked with displeasure at any proposition of the kind, but the Managing Director accompanied the Inspector to the States and saw several of the prisons where such work was conducted. The result was that it was found that the object in view could be accomplished, and the leading terms of an arrangement were agreed to after some negotiation on the return of these gentlemen to this country. The prices that were to be paid for the labour of the prisoners—namely, 50 cents a day for the first two years, 55 for the next two, and 60 cents per day for the succeeding two years—were far in advance of what was received in the Kingston Penitentiary, or in any of the prisons in the States. In view of all the facts the Government agreed to sell the five acres at a valuation, and under provisions that will have the effect of preventing any injurious effect, and providing that the land should be only used for railway tracks, and that erections should only be made on certain remote portions of it. The Company were willing to agree to these terms, and to leave all the other many details to be afterwards arranged with the consent of the Attorney-General. This being done, a draft agreement was subsequently prepared and executed. The preparation of the agreement embodying all the details and the principal negotiations for that object took place after he came into office. The original short contract was made in August. The fuller agreement made all necessary provisions for giving effect to the reformatory objects of the prison. He believed the system adopted would avoid many of the evils of the system of entire Government control, at the same time that it escaped some evils which sometimes flowed from the contract system, as generally carried out. The reason for the execution of the interim contract was that delay was impossible. The statute of 1871, establishing the Central Prison, gave express authority to the Inspector to hire the labour of the convicts, to be used either in the prison or without the limits of the prison, and no one could doubt that the statute would have authorized the Government to enter into this contract without coming before the House. Of course it could not be contended that the authority to hire out the labour meant an authority to hire it out for only a couple of months or some short time. This short statement would put the House in possession of how this contract came to be executed, and what were the reasons now why it was important that the sanction of the House was asked. A considerable amount of expense had been gone to by the Company, and the arrangement could not have been made satisfactorily unless the Government had taken the responsibility which they had taken, and which the Act authorized them to take.

Mr. MACDONALD said that the question should not be discussed in a party spirit, but he had been astonished that the Government had taken upon itself to enter into any agreement of this kind without sanction. As regards the contract itself, he thought that the Inspector had the interest of the prison system at heart in making it, but that he had signally failed in the object he had in view. The action of the Government in this matter most fully gave the lie to all the protestation which the gentlemen opposite had made while in opposition. The principal cry raised during the election against the late Government was their assumption of control over the railway fund, and yet the very men who made that cry now turned their backs upon themselves and assumed equal powers. He hoped the day was far distant when the Government of Ontario would be found repudiating its promises and agreements, and, as the Government had bound themselves in this matter, the House could not, without breaking honour, oppose its ratification. He objected to the contract system of employing prison labour, and could not see why the chain and ball or some other system of employing prisoners on public works