

*Penitentiary Act*

Mr. GUTHRIE: Where a man appeals and is subsequently convicted, he is still a convict.

Mr. MACKENZIE (Vancouver): He is not a convict until the appeal is decided.

Mr. GUTHRIE: He is a convict as soon as the appeal is decided and the time spent in gaol pending appeal by the crown is taken as part of his sentence.

Mr. MACKENZIE (Vancouver): Should he be termed a convict during the period prior to the deciding of the appeal?

Mr. GUTHRIE: The section does not describe him as a convict until he has been finally convicted and is serving his term of imprisonment. That is the time referred to in this section, and it becomes a question of deciding when he will be released from penitentiary.

Mr. ELLIOTT: Would the minister read the section again?

Mr. GUTHRIE: It reads:

Any period during which a convict is detained in the gaol or other place of confinement pursuant to the authority of this section shall not be computed as time served in the execution of his sentence unless he be so detained pending an appeal by the attorney general or counsel for the crown.

That time shall count as part of his sentence.

Mr. ELLIOTT: But he does not become a convict until the court of appeal overrules his acquittal.

Mr. GUTHRIE: This section does not have any effect until the man is actually convicted and imprisoned. If this section is passed the warden of the penitentiary would be allowed to count the time the man spent in gaol pending appeal as part of his sentence. The ordinary man will get bail and will not spend that time in gaol, but if he has had to spend it in gaol it shall be counted as part of his sentence.

Mr. EULER: I should like to ask a question of the minister as a layman. It is suggested that the time a man spends in gaol pending appeal shall be counted upon his sentence, but should not the time spent in gaol prior to his original trial be counted also?

Mr. GUTHRIE: It never has counted.

Mr. EULER: That is not a very good reason why it should not be counted.

Mr. BENNETT: The judge takes that into consideration when awarding punishment.

Mr. EULER: It should be taken into consideration on the appeal.

[Mr. Mackenzie King.]

Mr. GUTHRIE: As a rule, the court of appeal does not fix the punishment.

Amendment agreed to.

Bill as amended reported, read the third time and passed.

## THE BUDGET

CONTINUATION OF DEBATE ON THE ANNUAL  
FINANCIAL STATEMENT OF THE MINISTER  
OF FINANCE

The house resumed from Friday, March 31, consideration of the motion of Hon. E. N. Rhodes (Minister of Finance) that Mr. Speaker do now leave the chair for the house to go into committee of ways and means, and the amendment thereto of Mr. Ralston.

Mr. A. M. EDWARDS (South Waterloo): Mr. Speaker, in rising to contribute a few remarks to the budget debate, may I first of all add my congratulations to those that have gone before to the Minister of Finance (Mr. Rhodes) in the most trying time any government ever had to find ways and means to finance the budget. Some of the items in the budget we may not like; personally I have never yet seen one which imposed taxation that was popular. There are one or two items in it with which I might disagree, but I shall reserve discussion of them until the house gets into committee.

The hon. member for Shelburne-Yarmouth (Mr. Ralston), in his official criticism of the budget, wound up his speech by moving an amendment and I wish to quote and to refer to the following portion of it:

They imply a continuance of fiscal and other policies which have not only signally failed to afford any solution of our national problems, but have been proven to have the effect of diminishing trade, of decreasing revenues, of increasing unemployment—

And so forth. From that clause of the amendment the implication is that the tariffs which have been imposed during the sessions of 1930 and 1931 have had the effect of decreasing trade in Canada. After that speech was delivered, I thought the only fair way to judge the matter would be to find out just what had happened in other trading countries throughout the world. With this idea in mind I had prepared statistics covering some of the leading trading countries of the world: the United Kingdom, the United States, Germany, France, Italy and Canada. I shall give first the imports into these countries and afterwards the domestic exports from them showing the comparison for the years 1930 and 1932: