

contained in the Interpretation Act or in the Supreme and Exchequer Courts Act, no appeal shall be brought in any criminal case from any judgment or order of any court in Canada to any Court of Appeal or authority, by which in the United Kingdom appeals or petitions to Her Majesty in Council may be heard."

The right of appeal in criminal cases is carefully guarded so as to allow every reasonable chance to an accused person, while preventing scandals in the administration of criminal justice by repeated and hopeless appeals. An appeal may be allowed both to the accused and the Crown in certain cases upon points of law, but an appeal upon questions of fact is given only to the person convicted; none is given to the Crown in case of an acquittal of the accused.

Sec. 742 provides: An appeal lies from the verdict or judgment of any court or judge having jurisdiction in criminal cases, on the trial of any person for an indictable offence, upon the application of such person if convicted, to the Court of Appeal in the cases hereinafter provided for and in no others. Whenever the judges of the Court of Appeal are unanimous no further appeal lies; but if any of the judges dissent from the opinion of the majority, an appeal is allowed to the accused whose conviction has been affirmed by the Court of Appeal, to the Supreme Court of Canada, whose judgment shall, in all cases, be final and conclusive.

The specified cases are as follows: (1) The trial judge may, either during or after the trial, reserve any question of law, at the request of either the prosecutor or the accused for the opinion of the Court of Appeal, in which event a case must be stated for the opinion of the Court of Appeal. (2) If the trial court refuses to reserve the question, the party applying may, with the leave of the Attorney-General, apply to the Court of Appeal for permission to appeal. The Attorney-General may himself apply to the Court of Appeal for similar permission. (3) By leave of the court before which the trial takes place, a person who has been convicted may apply to the Court of Appeal for a new trial on the ground that the verdict was against the weight of evidence. A new trial may be directed by the Court of Appeal if it thinks fit. (Sec. 747.)

A very beneficial provision is contained in s. 748 by which upon an application for the mercy of the Crown on behalf of any person convicted of an indictable offence, if the Minister of Justice