

copy of that report in my hand to-day. This is probably the basis of the Court of Appeal.

I do not desire to take up the time of the House, but I would like to point out that in the United States—I cannot speak with certainty as to all the states, there may be differences between them, but in many of them—they have a Board of Commissioners. A judge delivers a sentence, and that sentence is passed upon by the Board of Commissioners or the Pardoning Board. They have what they call the indeterminate sentence. A man may be sent to prison for ten years' indeterminate sentence, and when that sentence is revised by the board, the period may be cut down to two years. In the big cities they have probationary officers who report to the Board of Commissioners, who deal with the matter.

There is not enough attention paid to the administration of the criminal law in Canada. When you come to our Parliament what do you find? You find that an amendment is made to the criminal law by which increased jurisdiction is given to police magistrates. I have no complaint to make against police magistrates, but, as honourable gentlemen know, the great majority of them are appointed, not from the ranks of practical lawyers, not from the ranks of men who know something about the administration of the criminal law, but very often from among the ranks of men who have had no special instruction along that line. The jurisdiction of magistrates has been so increased that to-day they can send a man to prison for—I cannot give you the exact number of years, but pretty nearly for life. If a police magistrate in the discharge of his duty sends a man to the penitentiary for ten years, when the usual sentence for the crime of which he has been convicted in a civilized community is two years, what harm could there possibly be in going to the Attorney General of the province and asking him if he did not think that it was a case in which the Court of Appeal might exercise its discretion? Some honourable gentlemen may say that it interferes with the prerogatives of the Crown if the Court of Appeal increases or diminishes the sentence; but it does not have any effect in that respect, because the Minister of Justice can at any time interfere with the Court of Appeal. I imagine that if a man convicted in Manitoba has to travel all the way to Ottawa, where he finds the departments clogged up with work, he would be glad of this Bill.

Enough has been said. I do not desire to contradict the leader of the Government, but I understand that the department has not gone into the matter and given it full consideration.

Hon. Mr. BOSTOCK: I have listened with a great deal of interest to the discussion, and the information laid before the House is, I think, very valuable. I have not had time really to go into the matter myself so as to form an opinion, as I should like to do; and, as there seems to be a difference of opinion between the honourable gentleman who has introduced this Bill to the House and the leader of the Government, I would suggest that it might be advisable for the honourable gentleman to let the matter stand for a few days until he can see the Minister of Justice again, and let us have a decision as to the position of the Government.

Hon. Mr. McMEANS: Certainly, I will let it stand.

Hon. Mr. DANDURAND: There is a further advantage to be gained. If the Minister of Justice or the Acting Minister of Justice decides not to father the Bill in the other House, under the rules of the House the Bill could not come up during this session. It must be accepted by the Government in order to be passed at this stage of the proceedings of the other House.

Hon. Mr. McMEANS: Let it stand until next Monday. May I indulge the hope that some of the honourable gentlemen who are versed in the law will give a little of their time to a careful consideration of this matter, and that the full discussion may be of some benefit to the country.

On motion of Hon. Mr. Watson, the debate was adjourned.

DEPARTMENT OF HEALTH BILL

SECOND READING.

Hon. Sir JAMES LOUGHEED moved the second reading of Bill 37, an Act respecting the Department of Health.

He said: The object of this Bill is to establish a Department of Health for the Dominion of Canada. This has long been a subject of discussion, not only by the public, but also in Parliament. Many objections have been raised to the policy of the Dominion Government entering upon a responsibility of this character, particularly in view of the constitutional aspects of the question and the fact that the provinces of the Dominion, recognizing the re-