

His Excellency will cause to be laid upon the Table of the Senate a copy of the Order in Council appointing P. C. Larkin as High Commissioner for Canada in London, with a copy of instructions defining his powers and duties.

Hon. Mr. DANDURAND: There is no objection to this motion being carried. I have the paper for the honourable gentleman, and am laying it on the table.

The motion was agreed to.

OIL SHALES, IRON ORE AND FUEL DEPOSITS

APPOINTMENT OF SPECIAL COMMITTEE

Hon. Mr. THIBAudeau (for Hon. Mr. Fowler) moved:

That the following Senators, to-wit: The Honourable Messieurs Donnelly, Farrell, Girroir, McLean, McMeans, Ratz, Schaffner, Tessier, Thibaudeau, Thompson, Turriff, Willoughby and the Mover, be appointed a Special Committee for the following purposes:—

1. To further inquire and report from time to time upon the desirability of the further development of the oil shales, iron ore, coal and fuel deposits of Canada.

2. Whether or not further and better facilities might be placed at the disposal of the Department of Mines for the investigation of the above subjects.

And further that the Committee be empowered to send for persons, papers and records, and, subject to the approval of the Senate, to employ such clerical aid as may be necessary to properly carry on the Committee's investigation.

The motion was agreed to.

NATURAL RESOURCES OF WESTERN CANADA

MOTION FOR RETURN

Hon. Mr. TANNER moved:

That an Order of the Senate do issue for a Return to include all correspondence between the Federal Government and the Ministers and Departments of the Federal Government and Provincial Governments and persons representing such Provincial Governments in regard to the natural resources of the Western Provinces; also all Orders in Council reports, statements, Minutes of Conferences and other documents and writings relating to the subject of the transfer of such natural resources to the western provinces.

The motion was agreed to.

CRIMINAL CODE (APPEALS) BILL. SECOND READING

Hon. Mr. McMEANS moved the second reading of Bill A, an Act to extend the Right of Appeals from Convictions for Indictable Offenses. He said:

Honourable gentlemen, in rising to move the second reading of this Bill I feel that some explanation is due from me. I have been asked by several honourable gentlemen if this is the same Bill that was

Sir GEORGE FOSTER.

passed by this House two sessions ago. I desire to explain for the information of those honourable gentlemen who have recently become members of the Senate that two years ago a Bill was introduced here to provide for appeals from criminal sentences, so that a court of appeal might revise a sentence given by an inferior court or by a judge. That Bill, after passing this honourable House three times, was finally passed by the House of Commons. So the present Bill, of which I have the honour to move the second reading, is in no way connected with that. At the last Session I moved the following motion:

That in the opinion of the Senate it is essential for the better administration of the criminal law that a Court of Criminal Appeal should be established in the different provinces, with jurisdiction similar to that possessed by the Court of Criminal Appeal in England, and will inquire whether it is the intention of the Government to create such Courts.

That motion was very fully discussed in this House last Session, and it is owing to the very favourable comment made on it here and to the suggestions offered by several honourable gentlemen that I have been led to introduce the present Bill. Perhaps it is unnecessary for me to re-argue the question or re-state the case, but I would say for the benefit of those honourable gentlemen who have recently become members of the House that the Bill provides for a very wide departure from the way in which criminal law is administered in this country. I have no hesitation in saying that Canada is to-day the only civilized country in the world in which there is no appeal in criminal cases. Our law is in this peculiar state, that no matter how innocent a man may be, if he is once found guilty by a magistrate, a judge, or a jury, there is no way in which he can ever be pronounced innocent. In the few remarks I made last Session I cited instances of innocent men having been sent to the penitentiary. One man was in penitentiary for seven years. He was arrested a second time and sent down again for seven years. He was proven to be entirely innocent—to have had absolutely nothing whatever to do with the case, but there was no power under the British law as it then existed by which that man could be pronounced innocent.

As a further instance, I would point out that the British North America Act says that if any member of this honourable House is convicted of a crime he forfeits his seat. Mind you, it does not say, "guilty