

Mr. Ferguson.

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May 31st, 1941.

cases decided by the British Columbia Court of Appeal and when we have it mind that the Court of Appeal has the power to increase the sentence if it sees fit and could without much trouble easily add another two to five years to the same, again the question of desirability as well as possibility of taking an appeal should not be overlooked.

It will also be remembered that in appeal from sentence the Court of Appeal is only concerned in relieving the Appellant where the sentence is unduly oppressive and it seems doubtful whether that is the case here.

While not called upon to express any opinion as to what should be done for the convicted man in the future other than on the basis of appeal yet it does seem to me that there is more hope of regaining him his liberty at an early date through applying at the proper time to have him paroled on the ground that he is undoubtedly one of the better Indians on the reserve and also is the sole support of his widowed mother and is reputed to have been exceedingly good to her since his father's death some five years ago.

If you will provide me in due course with the reference number for this file and instruct me to whom you wish the copy of brief etc. sent I shall then prepare and forward my bill in due course.

If you have any further instructions in this matter I shall be glad to be of service.

Yours truly,

GFM/DM

G. F. MacMaster

Indian Affairs. (RG 10, Volume 7473, File 19154-11, Pt. 1).

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