

given any evidence, properly so called, or any information other than is contained in the documents referred to in the last two paragraphs, and hereto annexed. We have the honour further to report that if the said sum of £294 16s. 1d. was paid to the claimant upon the basis purporting to be shown in the documents received by us from the Justice Department and hereto annexed, such payment should, apart from legal considerations, be treated as final in respect of the prosecution of William Lambert for perjury.

As to the First Paragraph of the Eighth Question propounded to us by the Commission.

We have the honour to report that the claim of the claimant that his name be removed from the prison records cannot be given effect to either having regard to English precedent and the circumstances of the case or having regard to common sense and the safety and inviolability of the public records.

As to the Concluding Paragraph of the Eighth Question.

We have the honour to say that the answer is, in our opinion, to be found in the last paragraph but one of the report of the committee on the case of Adolph Beck, in these words: "May not the time have come for abolishing the anomaly of pardoning a man who never ought to have been convicted, and a simpler remedy adopted of quashing the conviction on motion by the Attorney-General and entering an acquittal as of record."

The alternative is the grant of a free pardon, which may be granted, as was done in the case of Adolph Beck, although the claimant has served a sentence which has long since expired.

We recommend that one or other of these two courses shall be taken for the purpose of placing on record the conclusion at which we have arrived, that upon the evidence placed before us the claimant would have been properly acquitted.

As to the Ninth Question propounded to us by the said Commission.

We have the honour to report that if it is thought desirable to adopt the course suggested in the paragraph from the report of the committee in the case of Adolph Beck, which we have quoted in the last paragraph, legislation will be necessary. Such legislation should be general in its terms, and should by no means be limited to the case of the claimant. It will be necessary that it shall be drafted with great care, and that special provision shall be made to preserve for all persons the protection granted by the conviction reversed.

Legislation of this description should be submitted to the Judges of the Court of Appeal at the commencement of some one of the sittings of that Court, and the recommendations of the Judges as to the form of such legislation should be adopted without qualification, alteration, or addition.

We have the honour to forward herewith the printed copy of the evidence adduced before us, and of the addresses of counsel, as taken down and transcribed by the official stenographers.

We have, &c.,
W. B. EDWARDS, J.
THEO. COOPER, J.