

Mr. BENNETT: It was taken from the paper. I am reading it from a newspaper clipping.

Mr. MACKENZIE (Vancouver): Has my right hon. friend no further information?

Mr. BENNETT: Except that a man was killed. And I was told, also, that he was killed. But it does not matter in what circumstance he was killed; there should have been a judicial investigation. This afternoon the hon. member for Winnipeg North Centre made some complaints to the effect that certain men had been convicted. They were convicted by a jury. They were found guilty by a jury. All sympathy and all appeals that could be brought to bear were attended to by counsel, and yet they were tried and found guilty by a jury.

Now, the question of divided jurisdiction is nowhere so important as it is with respect to criminal law. In this house on more than one occasion competent men, men who have not been members of the legal profession, have urged strongly that there should be some provision for the federal power exercising jurisdiction in the discussion of cases before the courts of the country. That at the present time is not the law. But as a result of a province appointing a royal commission to investigate into the workings of the federal power it should follow that the federal power could appoint a commission to investigate the workings in the provinces, which, of course, would be injurious to the working of the whole machinery of government.

But on the other hand if a complaint is made that a man's life is lost, and you enter a *nolle prosequi*, and the accused is not proceeded against, it matters not what the facts are, I say, that there should be a judicial and public investigation as to the circumstances which brought about that result.

Mr. MACKENZIE (Vancouver): Was there a coroner's inquest?

Mr. BENNETT: I do not know; there was a preliminary investigation. The man was sent up for trial, and the charge was reduced to manslaughter. He was given bail, and—

Mr. MACKENZIE (Vancouver): My right hon. friend is surely not condemning the proceedings by virtue of what he has read in the press.

Mr. BENNETT: I know this, that this man was not tried, and a man was killed by him. That is the important point; he killed a man, and he was not tried. It is the only time I have ever seen that done in this country.

Mr. MACKENZIE (Vancouver): I object to this proceeding. The right hon. gentle-

[Mr. I. Mackenzie.]

man has only a newspaper version of what happened.

Mr. BENNETT: No; complaint was made to me about the affair, and the statement was made that this matter should be discussed.

Mr. MACKENZIE (Vancouver): That is different. May I ask my right hon. friend if he received complaints with regard to this particular case?

Mr. BENNETT: Yes.

Mr. MACKENZIE (Vancouver): Could he read the letter?

Mr. BENNETT: That is the reason this clipping was sent to me; that is the reason I have it.

Mr. MACKENZIE (Vancouver): Mr. Chairman, honestly I must protest against this.

Mr. BENNETT: Why protest?

Mr. MACKENZIE (Vancouver): Because by inference my right hon. friend is condemning the administration of justice in British Columbia, and is condemning it on a mere press report.

Mr. BENNETT: Yes; but I say this, that a preliminary investigation was held before a justice of the peace; the case was sent to trial and nothing further has been done about it.

Mr. MACKENZIE (Vancouver): That is never final.

Mr. BENNETT: But there was never a chance to investigate the circumstances under which this life was lost; that is my complaint. It is a precedent that is established, and I here put myself on record, protesting to the Attorney General of Canada that they should have opened up the case, because I believe the circumstances were such that it was not a proper exercise of powers of a province to set up an investigation over the federal government, any more than the federal government should investigate the operations of a provincial government.

Now, what happened? As the hon. member for Winnipeg North Centre said this afternoon, the leaders were not proceeded against. Evans was not proceeded against. The other leaders to whom reference was made in the report were not proceeded against. But the smaller fry were convicted by verdict of a jury and, as the hon. member said, were sentenced. I say that that is not proper; it is not the proper course to pursue, in view of what has happened. That is all I have said.

The temptation to discuss this matter at length at this time of night is great, but