

What Law Did Minister of Justice Morison Forget?

Doubt that the stars are fire.
Doubt that the sun doth move.
Doubt truth to be a liar:
But do not doubt that I forgot the
law.—Shakespeare (with apolo-
gies).

Editor Evening Telegram.

This astounding question is agitat-
ing the public mind to-day, and the
whole matter is of great public inter-
est.

D. Morison is Minister of Justice.
Two charges were made against him.
The one with which we are now con-
cerned is: that in 1909, whilst Minis-
ter of Justice and Attorney General,
and endeavouring to sell a timber
property situated on a river in Orange
Bay, White Bay, of 80 square miles,
he wrote a letter to R. W. Strong, his
quondam friend, who was then in Bos-
ton, containing the following words:
"The man who holds limits abouting
on a river can log and drive his tim-
ber the cheapest, and until some
other person locates behind him
there is nothing to prevent him from
getting a good deal of timber from
the adjoining Crown land."

Mr. Morison has since explained
that "getting" means "cutting".
Since Morison has received a "com-
plete vindication" (as the Chronicle
puts it) the people are taking notice
of it because the charge is very grave
and very serious. Morison's answer
is only "I forgot"; and the Governor
(Sir Ralph Williams) vindication is a
message to the world that a Minister
of Justice should be "honourably ac-
quitted" and retained in his office if
he says he forgot the law and you be-
lieve him when he says so; although
if otherwise he would be a "rogue and a
fool." Quod verum tutum.

If we always remember that D.
Morison was Attorney General and
Minister of Justice when he wrote
that letter, we can appreciate how
serious is the charge, and how ridicu-
lous the defence. The correspondence
has been published and we find that
Mr. Morison makes a very nice dis-
tinction in his answer of April 20th,
1912, wherein he says: "I wrote this
letter to Mr. Strong while I was Min-
ister of Justice. . . . It was not writ-
ten by me as Minister of Justice." Of
course not; but he did not tell Strong
to keep his position dark. Has Mr.
Morison been lately reading about Dr.
Jekyll and Mr. Hyde? And did he
lead the book to His Excellency?

As Minister of Justice and Attorney
General, whose duty it was to con-
serve the law and to prosecute of-
fenders, when necessary or required,
can Mr. Morison be listened to for a
moment when he says he forgot the
law? Will he go into Court and take
a prisoner's word for it, as the Gov-
ernor took his, and let him go free?
Suppose A. W. Bishop had pleaded
that he did not know or had forgotten
what the law was about casting away
schonners, would the Hon. D. Morison
as Attorney General have told the
Court that that was a good answer
and let him go free, if he had the
power?

There is a distinction, however, that
should be drawn in Justice to Mr.
Morison, namely, that Bishops of-
fence is punishable by imprisonment,
whilst a Minister of Justice, who
writes such a letter is not liable to
imprisonment, and so long as his plea
of forgetfulness of the law is ac-
cepted he is subject to nothing—
save public opinion. Otherwise he
should be subject to dismissal.

Mr. Morison must certainly remem-
ber that in or about the year 1905 a
certain firm was charged with having
purchased logs cut on ungranted
Crown lands, and the firm was in-
formed that they were liable to a fine
of \$20 a tree, although they had
bought and actually paid for the logs.
Would the firm have got free if they
had pleaded (like Morison) that they
forgot or did not know the law? Mr.
Morison says that he knew that a man
could be fined for purchasing (and of
course paying for) logs so cut, but he
apparently thought that a man could
cut logs without fine—that is, cut
without paying.

Now let us examine for a moment
what law the Hon. D. Morison, Min-
ister of Justice, H. M. Attorney Gen-
eral, ex-Judge, etc., etc., FORGOT.

In his answer of April 20th, 1912, he
says he forgot (in part) section 28 of
the Crown Lands Act, 1903. That sec-
tion, put plainly, reads:
"The holder of a license, or his as-
signee, servant or agent, shall not
cut timber on any Crown lands
(other than defined in the license)
and shall not purchase timber cut on
such lands under a penalty for ev-
ery tree cut, to be recovered by suit
before a Magistrate or Justice."

It will be noted, of course, that "the
adjoining Crown land" was not in-
cluded in the license of the Orange
Bay area.
Mr. Morison explains in his answer
that "my remembrance of the law was
that the holder of a license might
cut logs on adjacent Crown lands,
but could not purchase them." This
means that he forgot there was a
"prohibition" under a penalty of \$20
a tree, against cutting logs on the
ungranted Crown land adjoining the
Orange Bay area (and this was in a
"Local Option" district too).
In Justice to him again we will
quote a little more of his answer:
"I emphatically deny what Mr.
"Cooker" insinuated that I as Minis-
ter of Justice intentionally and de-
signedly advised Mr. Strong that any
person holding the area might steal
logs from adjacent Crown lands. I
"had no such idea in my mind." (Or
he might have added, in the Minister
of Justice's mind).

But we have an idea in our mind
that the public would like to know
whether the Minister of Justice re-
membered the rest of the law in the
Crown Lands Act when he wrote that
letter to Strong. For example there
is—

First (Section 22, 1903)—The right
of cutting timber shall be at a bonus
per square mile, to be fixed by the

Governor in Council, to be not less
than \$2 per square mile, and to be
paid within 30 days from the date of
the approval of an application for a
license. The said bonus is to be paid
on the whole area applied for.

Second (Section 23)—The Governor
in Council may grant licenses to cut
timber on Crown land for a period
of 50 (now 99) years after notice of
intention to apply thereof has been
published in the Royal Gazette for a
period of one month prior to such ap-
plication and stating boundaries, etc.;
and there shall be paid in addition to
the said bonus an annual rental of \$2
per square mile in advance, the first
year's rental to be paid within 30
days of such approval.

Mr. Morison does not say he forgot
these sections. And if he did not for-
get them, what then? These sections
say in plain words that timber may
be cut on Crown lands, only upon ap-
plication being made to the Governor
in Council, and approved, and a bonus
of \$2 a mile and a rental of \$2 a mile
paid in advance. And was not Mr.
Morison one of the "Council" when he
wrote that letter? And these sections
are as much the law as that other
section (28) which he says he forgot.

Mr. Morison informs us that for 25
years he has been advising clients
about conditions in their timber li-
censes. Then we take it that he must
have known of the above sections
when he wrote that letter. And if he
must have known of them, what an-
swer is it to say merely that he for-
got there was a penalty of \$20 a tree
or cutting? It may be quite true that
he did forget about this heavy pen-
alty. But if a man may not cut tim-
ber on Crown lands at all (excepting
for fishery purposes, vessels, etc.)
without a license and paying \$4 per
mile bonus and rent, in advance, and
if he does go out and cut it, without li-
cense and paying rent, then he sure-
ly would be up against the law. "Tis
true the Minister of Justice did not
cut timber, but if he, as Donald Moris-
on, wrote Strong advising him that
here was nothing to prevent the
older of a limit from getting a good
deal of timber from the adjoining
Crown lands until some other person
locates there, is it, or is it not, advis-
ing contrary to the above section?
And if it is, what are we going to do
about it, because Morison was Minis-
ter of Justice?

What did the Governor do? It will
have been noticed that the Chronicle
lost no time in informing the public
that the Governor conducted "an ex-
haustive enquiry." But is, or was, the
Governor aware of the above sections
of the Crown Lands Act? Did he no-
tice that his Attorney General did not
refer to them in his answer of April
20th in reference to the letter to
Strong? If His Excellency did notice
these sections, then he must have no-
ticed that his Attorney General did
not say whether he forgot them or
not, and the Governor did not ask
him. Did His Excellency deem it
unnecessary in view of Morison's let-
ter to the Premier of April 10th, 1912
before the charge was made), where-
in he devotes columns to a descrip-
tion of the Crown Lands Act and how
timber limits are obtained?

The attention of the Governor, of
Premier Morris and of Minister of
Justice Morison, as regards this
charge, seems to have been centred
on that penalty law only; and these
sections (22 and 23) seem to have
been lost sight of. And if so, was the
enquiry "exhaustive"?

Sir E. P. Morris, the Premier, vol-
unteers that it would be "perfectly
ridiculous" to think that Attorney
General Morison remembered the law
(the penalty law) when he wrote that
letter to Strong. His Excellency the
Governor says that if Morison re-
membered the law (the penalty law
again) he should be branded a rogue
and a fool. Now we would respect-
fully ask the Governor and Premier
Morris and Morison himself if that
penalty section was the only law,
the only section in the Acts, which touch-
es this case and which should have
been remembered? Did Morison re-
member sections 22 and 23 above men-
tioned, or should he have done so?
These questions do not seem to have
been in the mind of any of them in
the inquiry on this charge. Then was
this an exhaustive enquiry? Again,
suppose there was no penalty section
at all, but only sections 22 and 23, is
Morison (whilst Minister of Justice)
justified, in advising Strong as he did,
whether he forgot these sections, or
any section, or whether he didn't?

In the light of the above is it not
proper that Attorney General Morison
should answer these questions; and
that Premier Morris, having given an
excuse for Morison which is absurd,
should be asked to justify his Attor-
ney General's letter to Strong? And
in the meantime we can wonder whe-
ther His Excellency will consider it
his duty to ask Donald Morison whe-
ther (in forgetting) he also forgot
sections 22 and 23 or not.

In the meantime also all Magis-
trates and Justices should make, a
note of His Excellency's decision and
write to Hon. D. Morison, Minister of
Justice, etc., etc., for a copy. Is there
any good reason why the Magistrates
and Justices should not follow and ap-
ply the Governor's decision to cases?
If there is, will somebody kindly
state it?
Yours,
July 5, 12. ENQUIRER.

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Here and There.

Stafford's Liniment for Sale by Mr. T. McCarthy, Water Street—July 5, 12.

League Football, 7 o'clock this evening, St. George's Field, St. Bon's vs. Collegians.—ad. 11.

VESSELS ARRIVED.—Seven ves-
sels arrived last week at Twillingate
from the French Shore, their average
being 400 tons.

HAND INJURED.—Saturday after-
noon while handling a bale, Mr. J.
Nichols got an ugly cut inflicted to
his right hand by a piece of iron.

FR. McDERMOTT M.L.—Rev. J.
McDermott, of St. Patrick's, River-
head, has been ill for several days
past of quinsy. He is now recover-
ing.

WRECKED CREW LEFT.—The
crew of the s.s. Wilhelmnia, which
met disaster at Peter's River, left by
the s.s. Florizel on Saturday after-
noon for England via Halifax.

Notes From Badger Brook.

A few days ago a large forest fire
took place one mile east of Badger
Brook. The cause of the fire is sup-
posed to be sparks from a passing
locomotive which ignited a pile of old
railway ties near the track. A gang
of log drivers and a number of men
from Badger went quickly to the
scene of the blaze. As there was
plenty of water surrounding the burn-
ing timber, the 125 men, who worked
well as a bucket brigade, after a few
hours had the blaze under control and
thereby saved valuable timber and
pulp limits.

A house belonging to the Nfld. Pine
and Pulp Co., occupied by Mr. J. D.
McFarlane, Lumber Surveyor, caught
fire three times from sparks from
chimney, and being seen in time was
quickly put out on each occasion.

Mr. Thos. O'Neill and family and
Miss Marguerite M. Coleman, who
were on a visit to friends at Fogo, re-
turned by express to-day.

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Jamaica Oranges,
Bananas,
New York Corned Beef.

**C. P. Eagan, Duckworth St.
and Queen's Rd**

was overcarried on the train owing
to not hearing the conductor an-
nounce the station. She entrained
again and will reach her destination
some time next week. Even the
smart New York girls can sometimes
get left. She was a guest at Cole-
man's Hotel during her stay.

H. S. Crowe, Esq., from Botwood,
got men dismantling the Nfld. Pulp
Co.'s saw mill here, all the machin-
ery going to Botwood to be used there
in future at the company's new mill.
Badger Brook, July 3, 12.

Here and There.
G. C. PARADE.—Yesterday morn-
ing the G. C. C. C., under command of
Lieut.-Col. Conroy, paraded to last
Mass at the R. C. Cathedral, after
which they made a tour of the city.
Householders in need of dry kind-
ling can have their wants supplied by
calling phone 317, Horwood Lumber
Co., Ltd., who will furnish it in car-
load lots, delivered.—June 27, 12.
CAPTAIN JILL.—Capt. Spracklin of
the Bruce, who is ill, arrived here
Saturday for treatment, and Capt. P.
Delaney will take charge of the
Bruce during Capt. Spracklin's ab-
sence.