

Mr. BENNETT: The hon. gentlemen who presented the case to the Privy Council is now one of the learned judges of the court of appeal of Manitoba. He presented his argument for the better part of a day. The Privy Council listened with great attention and at the end of the discussion the lord chancellor—if my memory serves me it was the lord chancellor of the day—gave judgment, declaring that no case had been made out indicating that the conviction was wrong either in law or otherwise, or that it offended the principles and canons of justice that prevail throughout the British Empire in relation to criminal cases, and therefore the conviction would not be quashed by the Privy Council.

Mr. WOODSWORTH: Was it not true that refusal of the Privy council to consider the matter was based on constitutional grounds?

Mr. BENNETT: It is hardly correct to say that it was based on constitutional grounds. It was based on this large ground: that no case had been made out that would warrant interference by the Privy Council. When I say that no case was made out I mean that there was no such departure from the principles of justice that govern all criminal trials in the British Empire as would warrant interference by the Privy Council in rehearing or considering the case. In other words, what the Privy Council said, by the judgment of the lord chancellor, was that the principles of justice had been observed in the trial, that the evidence warranted the conviction, that the conviction was sound in law and therefore must stand. That was the judgment of the Privy Council. The constitutional question to which the hon. member refers is a simple one: it was whether or not the Privy Council would consider a criminal appeal. The Privy Council has considered criminal appeals and has since that time declared that where there is any departure from the principles of justice that govern all British courts in criminal trials, the case will be considered by the Privy Council. Those are the facts.

We have therefore a conviction which, to the hon. gentleman who has just spoken, must appear a sound conviction. We have a conviction because an effort was made to destroy the established form of government of this country in the city of Winnipeg. In other words, an effort was made to change our government and that effort failed.

Mr. THORSON: Would the hon. leader suggest by that statement, that all who took part in the strike of 1919 in Winnipeg had that intention in mind?

Mr. BENNETT: It is hardly necessary to answer a question of that kind, and it is not expected that a lawyer will answer it. It is not expected that one of the profession would ask so simple a question.

Mr. THORSON: Answer it.

Mr. BENNETT: I am not here to give instruction in law to the hon. gentleman; it might pay for him to sit somewhere and learn a little. But I do not propose to give that instruction at the moment.

The conviction having been made because of an effort, mark you, to destroy the government of Canada in the province of Manitoba and in the city of Winnipeg, and that effort having failed, one of our citizens, was prosecuted, and convicted. It will be found in the law reports of the country. Now what relation has that to this vote?

Mr. THORSON: None.

Mr. BENNETT: It is necessary for the hon. gentleman to say none if he desires to retain his position as having a logical mind. However, I shall show that it has a very direct bearing on the matter. Let us bear in mind my opening observation: 480 men who had no direct grievance of their own, had left the postal service of Canada without notice, in violation of their oath. They left, not because they had any grievance of their own, because they admitted they had none. But citizens one of whom was subsequently convicted as I have indicated, were endeavouring to establish another form of government in Canada, a soviet in the city of Winnipeg. The government was confronted with that situation—a complete tie-up in the postal service. What does it mean to the commercial life of Canada and to the domestic life of our citizens to have a complete postal tie-up? Business was paralyzed, the postal service was discontinued, no deliveries made of letters to homes. The people were without communication so far as the postal service was concerned—absolutely without it. The government of the day permitted that condition to continue, urging as best they could, that there should be a settlement of these difficulties. Time went on; two weeks passed; and then the Minister of Labour of Canada, the Honourable Gideon Robertson,—and I think, although my memory may be wrong,