



DEPARTMENT OF TRANSPORT  
INTRA-DEPARTMENTAL CORRESPONDENCE

Ottawa, July 6, 1949

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YOUR FILE	SUBJECT	OUR FILE
	Re: William Robert MacKnight - Aircraft CF-EGI	5008-E7-9

15166

MEMORANDUM TO CONTROLLER OF CIVIL AVIATION.

With reference to attached memorandum of June 30 from the Inspector, Air Regulations to C.A.R. and referred by you to the Law Branch relative to the case of William Robert MacKnight who is alleged to have struck a section of telephone line at Pense, Saskatchewan, while acting as pilot of Aircraft CF-EGI, the undersigned has considered the reports on file and is inclined to advise against prosecuting Mr. MacKnight under paragraph 2 (c) of Part VI of The Air Regulations for the reason that it is doubtful a conviction would be obtained.

The evidence in the case is largely circumstantial except for the direct evidence of Robert G. Ogilvie who saw a red and cream high-winged monoplane like a Piper Cub collide with the telephone wires. Mr. Ogilvie did not obtain the registration letters and cannot identify the two men in the aircraft.

I do not think that a magistrate would be likely to convict Mr. MacKnight on the evidence submitted and it might be expected that both Mr. MacKnight and his passenger would repeat the statements made to the R.C.M.P. that they have no knowledge of the aircraft coming into contact with any telephone wires and that they did no low flying in the vicinity of the telephone line.

On the whole, as stated above, I am inclined to advise against prosecuting MacKnight.

ENTERED  
ON CARDS

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*W. J. M.*  
General Counsel.