

create the impression that this question of copyright is not an important one. I fully agree that it is a very important one, not only to the publishers—and it is that class I had in my hand yesterday—but to the different industries he has just enumerated. But I call the attention of my hon. friend to this. Important as this question is to the several industries, it is so complex, so little understood, if I may say so, that it has not yet engrossed public opinion as it might have done, and as other questions of lesser moment have done in the past and may still do in the future. That was all I intended to say yesterday on the subject; and in so far as my remarks have led to a false impression, I have only to thank my hon. friend and to tell him that I stand amply and well corrected by the remarks he has just made.

THE POSTMASTER AT BATTLEFORD.

Mr. DAVIN. Before you leave the Chair, Mr. Speaker, I want to call the attention of the House and especially of the right hon. First Minister to circumstances that I think will excite his interest and surprise as well as the interest and surprise of the House. Last year, some time in the summer, an effort was made by certain persons at Battleford to get rid of the postmaster there, a man named Mercer, and complaints were made to the Postmaster General. The Postmaster General insisted that before he would give judgment on the alleged misconduct of Mercer, he should have affidavits before him; and thereupon one Skelton, one Dewan and one Daunais made a statutory declaration on which the Postmaster General acted. The Postmaster General, very fairly and honourably, sent copies of the affidavits, to Mercer to ascertain what reply he had to make. The moment these declarations came into the hands of Mercer, he at once did what you would expect under the circumstance, seeing that they did not contain a word of truth. He took steps to have Skelton, Dewan and Dunais prosecuted, and they were brought before the police magistrate and committed for trial. When the time came on to try them, an adjournment took place at their own request, and I am not sure that it was not at their own wish that a judge was brought from an outlying district, thousands of miles from Battleford, to try them. They were tried in October, and Skelton and Dewan were found guilty of perjury. Daunais' trial was postponed. A very able lawyer, Mr. T. C. Johnstone, prosecuting counsel for the Government at Regina, was retained for the defence, and he went to Battleford and defended them, and raised several points, which were noted by the judge. An appeal was then had to the full court at Regina which sat in December, and which took from December to February to consider its judgment. In February

that court gave judgment, confirming the conviction of the two men, Skelton and Dewan.

No sooner was it known that the full court at Regina, which consisted of the ablest judges I think in Canada—certainly three of the ablest judges in the west—had confirmed the judgment unanimously, than a meeting took place at Battleford, and there was great indignation with the judiciary of the North-west Territories for daring to sustain that conviction, meetings were held at the house of Major Cotton, and it was openly stated that a new trial would be had. I call the attention of the Prime Minister to this peculiarity of the case—that before the trial was completed by judgment these persons said they would get a new trial, and they prepared statutory declarations, which were duly sworn, and Skelton started for Ottawa. A telegram was sent to me from Battleford, and a letter was sent to me from Regina from Mr. Norman Mackenzie, who had assisted the Crown prosecutor, because those who were interested in the carrying out of the law thought it was advisable that Mr. Mackenzie should be at Battleford during the trial. Mr. Mackenzie wrote me what was taking place. Early in March I went to see the Minister of Justice and saw him in his room near the Senate Chamber. I congratulated him cordially and sincerely on his having become a member of the Government, and then I told him why I came to him. He told me that up to that time, he had received no papers, no affidavit, no application—and, as a fact, he had not. I said to him: If you receive any papers or application in this matter, will you let me know? He said he would. I said: You will do nothing ex parte? He assured me he would do nothing ex parte, and before he would arrive at any decision he would hear me. Well, I may tell you, Mr. Speaker, that even then I was puzzled to know how any application could be made, under what law, how the Minister of Justice could hear any person or read any paper in regard to that trial. Where was his authority, judgment not having taken place, and, therefore, the trial not completed?

The MINISTER OF THE INTERIOR (Mr. Sifton). Does the hon. gentleman (Mr. Davin) say that the Minister of Justice has entertained an application?

Mr. DAVIN. What I said was that I did not see how he could, because the trial was incomplete. Well, a considerable time passed, and the next I heard of it was when I received a telegram first, and subsequently a letter from Battleford saying that Skelton, one of the convicted, had come to Ottawa, had brought affidavits, had seen the Minister of Justice and had gone back and declared that he was to get a new trial. This was before the trial was complete. I went at once to the Solicitor General and saw