

and that investigation must ultimately take place in the courts of the country, why have a commission of judges appointed to investigate the circumstances in connection with the event, the striking of the men, the circumstances under which the rioting took place, before the judicial trial takes place and an opportunity is afforded to investigate the matter in the manner and form by law provided? Surely we have created a most dangerous precedent. That is the point I endeavoured to make, based upon a strong opinion I hold which has nothing to do with this case at all. I suppose there is hardly anyone in this house who does not remember what took place in India when General Dyer found himself in difficulties. He came to England and brought action against those who libelled him, and he succeeded, with the aid of a jury, in recovering his reputation and damages. The late Mr. Justice McCardie dealt with the matter at great length in a judgment which is a classic of its kind. But to prejudice the judicial hearing by a prior investigation, and then to have the authorities that have set up the commission nolle prosequi the proceedings against the leaders and proceed against others, and the jury convict them, and the judges, having regard to the circumstances set out this afternoon, give them a light sentence—I say that creates a dangerous precedent and one upon which I should like a discussion on another occasion, though not, for the reasons I have stated, at the present time.

Mr. GARDINER: As the one responsible for appointing the commission I desire to say a word or two. The commission was not appointed in the first instance for the purpose of examining into what was referred to by the leader of the opposition. In 1927, while I was premier of Saskatchewan, I came to Ottawa and arranged with the federal government to have the mounted police force police that province. We were the first province in Canada to make an arrangement of this kind; since that time the majority of the provinces have followed suit. In 1935 the riot took place at Regina, and there was some controversy between the dominion government and the provincial government as to jurisdiction. We claimed that we had the right to direct the mounted police in dealing with this particular trouble. The federal government took it upon themselves to direct the police.

Mr. BENNETT: The hon. gentleman might give the reason, too.

Mr. GARDINER: After the men had arrived at Regina and the issue was drawn we remained out of the contest until final

[Mr. Bennett.]

action, the riot, took place. When the riot was over and the men were gone from Regina, having been moved out by the government of the province, the province then appointed a commission to investigate, and one of the directions given was to investigate the relationships existing between the provincial government and the federal government towards the mounted police force. The agreement which was made in 1927 came into effect in 1928, and comes to an end in 1936. It was thought wise that the legal position of the province and the federal government should be known before a new agreement was drawn up. After the commission had been appointed, other matters were referred to it, upon requests from the men and others. This was done to clear up the whole matter. It has been cleared up, in my opinion fairly satisfactorily to all parties concerned. I have nothing further to say at the moment with regard to it, but if the subject is to be discussed at a later time we can probably go into all questions connected with it.

Mr. BENNETT: There was a provision in the agreement preserving to the dominion government the right to deal with breaches of dominion statutes, as the Minister of Justice has mentioned. It was in furtherance of that agreement and the statute that the mounted police, when complaints were made and a request was made upon them by the railways, took the action they did to protect the property of the federal railways. The reasons were given in this house.

Mr. NEILL: I shall detain the committee only a minute. The minister's conception of provincial responsibilities for enforcing the law appears to have broadened to some extent since the last item we were discussing. Apart from all this, it is evident that New Westminster is a lawless place and requires more police protection so let me say that as a generous gesture to the hon. member, I would be quite agreeable to letting him have the detachment now at Alert Bay where we have not had a murder for forty years.

Mr. REID: I must contradict that.

Item agreed to.

#### MISCELLANEOUS

Natural Products Marketing Act, 1934, \$106,600.

Mr. PERLEY (Qu'Appelle): Mr. Chairman, a number of the members of the wheat committee would have liked to have had an opportunity of discussing the problem of the marketing of coarse grains. At the last meeting of the committee the Minister of