

plained, and it is not the first time he has made the same complaint before the House, that he has not been treated by the Minister of Justice with the courtesy which the Minister should have extended to him. In my opinion, if any one has reason to complain of the treatment received I think it is not my hon. friend so much as the Minister of Justice. What was the statement made a moment ago by the hon. gentleman? That he went to the Minister of Justice, and while engaged in a private conversation with him discussing this question in a friendly way, my hon. friend took out his pencil and was taking notes—

Mr. DAVIN. Will my hon. friend (Sir Wilfrid Laurier) allow me. I stated that I took a paper out of my pocket and made notes upon it. Those notes were made openly in the presence of the Minister of Justice.

The PRIME MINISTER. I must say that my hon. friend's views of courtesy and my own do not agree. My hon. friend was discussing the question with the Minister of Justice in a friendly way. I take it that this was a private conversation which, whether noted or not, should not have been revealed.

Mr. DAVIN. I do not take the view that this was private.

The PRIME MINISTER. I take a different view. Of course, it is a free country and every one has a right to his own view on matters of courtesy as on everything else. But I hold that the Minister of Justice has more reason to complain that there has been want of courtesy on my hon. friend's part than my hon. friend has reason to complain of the Minister of Justice.

Now, the hon. gentleman has stated on more than one occasion, and he repeated it this evening, that the Minister of Justice had promised him a copy of the affidavits which were to be placed in his hands.

Mr. DAVIN. Which at that time were in his hands. He promised them first before they came and subsequently he told me that I should have them, and he promised them again when I saw him at the right of the Speaker's Chair.

The PRIME MINISTER. All I can say is that had I been in the place of the Minister of Justice, I would not have given my hon. friend a copy of these affidavits, nor would I have promised them. Of course, the Minister of Justice acted differently, and I have nothing to say. But I would not have given copies of the affidavits under similar circumstances. Here was a case between the Crown and James Skelton. My hon. friend had no interest in the case and no more right to ask for these affidavits than anybody else in this room. When the Minister of Justice had taken action, and the hon. gentleman could call that action in

question and review it. But, until the Minister of Justice gave his decision, nobody had the right to intervene in the case. But if the Minister of Justice promised the hon. gentleman these affidavits and afterwards neglected to implement his promise, that is a case between my hon. friend and the Minister as to which, of course, I have nothing to say at this moment. But I come to the gist and gravamen of the charge made by my hon. friend. He says that the Minister of Justice interfered with the case after conviction and before judgment, to prevent sentence being pronounced against James Skelton.

Mr. DAVIN. If the hon. gentleman will allow me, I will state the charge. The charge I make is that the Minister of Justice, is without any authority from any Act of Parliament to receive an application from persons convicted before sentence had been pronounced, and next that he has done what my right hon. friend says—interfered with the course of justice.

The PRIME MINISTER. During the trial, that is to say before the sentence of the court was pronounced, the hon. gentleman says, somebody, let us say James Skelton or somebody else on his behalf, lodged an application with the Minister of Justice. And I must say to my hon. friend that he stated, and stated correctly, that on the 16th May, when the case was again called to be proceeded with, the agent of the Minister of Justice, who is the Attorney General, stated that he had received a letter of instructions from the Attorney General not to go on with the case but to suspend it to another term. Now, that is the gravamen of the charge he makes against the Minister of Justice.

He says that the Minister of Justice was not within his duty, that he could not have acted until sentence had been passed under the terms of sections 747 and 748. I have only this answer to make to my hon. friend, and he will see that he has been labouring under serious misapprehension. The Minister of Justice is the Attorney General for the North-west Territories, he is the prosecutor for Her Majesty. The Minister of Justice is the Attorney General for Canada, he has jurisdiction in all the courts of Canada, he is the prosecutor wherever Her Majesty brings suit, and he was prosecuting that indictment against James Skelton. If the Minister of Justice was the Attorney General prosecuting that indictment in the court at Battleford against Skelton, the case was in his hands, and he was simply within his rights when he gave instructions to his agent to postpone the case. If that case had been brought in Manitoba or Quebec or Ontario, where the Attorney General is the Attorney General for the province, and upon an indictment, the prosecutor is then the Attorney General for such province, and the Minister of Justice could not have interfer-