

Mr. BENNETT: Mr. Speaker, I am always delighted to endeavour to answer any questions that may be asked, and my hon. friend so seldom asks any that I should like to answer this one. He says Mr. Robb is paying the penalty. It is true. But the country is being deprived of the services of Mr. Collins, who obtained a majority of the votes cast. That is an entirely different matter.

Mr. MACDONALD (Antigonish): If my hon. friend would permit me—supposing his contention is right that parliament should receive this petition, and that upon its reception it was referred to the committee on Privileges and Elections, which decided that the statements contained therein were correct. You would also have the trial of the petition proceeding in the courts, and if it was there decided that Mr. Collins was not entitled to the seat, we would have the anomalous condition of parliament deciding one way and the court the other. Parliament therefore should not divest the court of its jurisdiction.

Mr. BENNETT: Mr. Speaker, I am the more surprised at the minister making an observation of that character because he must know that the trial of the petition could not proceed in that event for Mr. Kennedy would no longer be the sitting member. I assume if Mr. Collins is returned a protest might then be lodged against him, and it might proceed. But let us take this very House, let us deal with actualities. What happened? On the first vote taken in this House this session there was a majority of three. Mr. Speaker, just think what this means.

Some hon. MEMBERS: Oh, oh.

Mr. SPEAKER: Order.

Mr. BENNETT: One opponent of the government was absent. Had he been present the majority would have been two.

Mr. CASGRAIN: He had not taken his seat.

Mr. MACDONALD (Antigonish): That is not a point of order.

Mr. BENNETT: It is, for it illustrates the effects of this. Had Mr. Collins been in his seat, as the electors of Peace River decided by a majority of seventy or eighty he should, the result of that first division would have been a tie. Now, are we here to-day to ask the Speaker of this House to decide that a petition that directs the attention of parliament to malfeasance in office of its own officials shall not be heard?

Mr. MACDONALD (Antigonish): What has that to do with the point of order?

Mr. BENNETT: The point of order is that this petition cannot be heard, although a Lord Chancellor, the Lord Chief Justice of England and the Chief Justice of Canada, have all expressed the opinion that parliament has complete jurisdiction over its own officials. That is the point that we must not get away from. We must all keep in mind this one essential thing, that when the officials of this House violate their duty and fail to discharge the obligation placed upon them, this House can call them to account at that bar. If we fail, if we put a premium on rascality, we have dishonoured our finest traditions, we have made this House a participant in that which has deprived one of our citizens of the highest rights he can enjoy under the constitution, and we have decided that fraudulent manipulation of ballots, which may change the personnel of the government and thus change the policies of the country, are to meet with the approval of this House. Until I see that done, Sir, I cannot believe it possible for it to happen.

Hon. G. H. BOIVIN (Minister of Customs and Excise): Mr. Speaker, it is not my intention to wander quite so far away from the point of order as the hon. member who has just taken his seat (Mr. Bennett). I may be obliged, however,—and I crave your indulgence if I should do so—to stray from the straight and narrow path in order to answer some of the arguments adduced by my hon. friend. I was not surprised to hear him say that there is a sense of justice in the heart of every man. There are exceptions to confirm all rules, and I am sorry to see that the hon. member himself is to-day the exception. A sense of justice in the heart of every man! And still he stands in his place in this House and accuses one of his fellow members of keeping and retaining stolen goods—

Mr. BENNETT: Hear, hear.

Mr. BOIVIN:—when he well knows that his fellow member, owing to the provisions of section 8 of the House of Commons Act, could not resign his seat if he so desired.

Mr. BENNETT: It is clear he could not resign, but it is equally clear that he should not participate in the deliberations of this House.

Mr. BOIVIN: My hon. friend has an afterthought and presents the argument used in the House by his right hon. leader a few days ago. He contends—I do not pretend