

*Peace River Election*

Mr. BENNETT: I am glad my right hon. friend has said that, for it is one argument why the matter should be referred to the committee. I am sure the Prime Minister will realize the seriousness of it. Let me give a concrete illustration. Suppose as the result of an election we had a House of 240 members, 125 supporting the government and 115 in opposition. That would leave the government with a majority of ten. The House is called and it is ascertained that, say, fifteen members owe their seats entirely to the manipulation of ballots. A petition comes before parliament. What happens then? The courts cannot touch it while the House is in session, and nothing will be done in the meantime. What will that lead to? Why, Mr. Speaker, it simply puts a premium upon dishonesty and it means that you have invited every deputy returning officer in Canada to become a crook. Not only that, but you have put the stamp of approval of the House of Commons on such conduct. Let us carefully weigh the matter before we decide it.

Mr. MACDONALD (Antigonish): Why should we have the Controverted Elections Act at all?

Mr. BENNETT: To deal with the conduct of elections.

Mr. MACDONALD (Antigonish): And of returning officers as well.

Mr. BENNETT: As Sir Wilfrid Laurier said in his speech in 1913, this parliament has never divested itself of the authority to inquire into the right of a member to sit in the House.

Mr. STEWART (Edmonton): My hon. friend is arguing that because parliament is in session and the case cannot be heard, therefore Mr. Collins is being deprived of a privilege that rightfully belongs to him. Will that privilege be denied him when the time comes for the trial? So far as the deputy returning officer in question is concerned, he has been convicted and has therefore paid his penalty. But how is Mr. Collins deprived of his privilege, seeing that the case must come before the courts?

Mr. BENNETT: I am sorry I have not made clear to the Minister of the Interior the gravity of the matter.

Mr. STEWART (Edmonton): I quite appreciate the seriousness of it.

Mr. BENNETT: The fact of Mr. Collins having been deprived of his seat in the House is only incidental. But the fact that a gentleman should sit in parliament without,

[Mr. Mackenzie King.]

as it is alleged, a mandate from the people of the constituency which he purports to represent, is something that affects not only that particular constituency but every constituency in the country.

Mr. STEWART (Edmonton): At several of the other polls allegations were made which, while it is true they were not proven, were so nearly established that they would indicate that Mr. Collins had support which perhaps should have gone elsewhere.

Mr. BENNETT: I am surprised that my hon. friend—

Mr. STEWART (Edmonton): That happened at McLellan.

Mr. BENNETT: You can never count upon what juries may do, and if the jury chose to acquit Mr. Griggs, one of the deputy returning officers—

Mr. STEWART (Edmonton): I was not thinking of Mr. Griggs; I was thinking of the poll at McLellan.

Mr. BENNETT: In the case of Mr. Griggs a jury of his countrymen thought that he had not violated the law. But here we have a case the effect of which is to deprive the people of Peace River of representation according to their will and, what is more, to undermine the authority of parliament. What becomes of representative government if parliament refuses to accept this petition?

Mr. CANNON: What about 1917?

Mr. BENNETT: But that was a question in which parliament had enacted legislation as to who should vote. That is not the question now before us. In this instance—and I do ask my hon. friends to consider it seriously—let us make it personal with respect to this House.

Mr. CANNON: The incident of 1917 was so serious that it was tragic.

Mr. BENNETT: I am perfectly willing to engage in a discussion with my hon. friend with respect to that, but it is not relevant to this point of order; what he is referring to was a question of the franchise. After listening to the account of the hon. member for Kent (Mr. Doucet) of the purposes that legislation served in Quebec during the last election, I say it was indeed tragic.

Mr. JACOBS: The party to which it belongs is now paying the penalty, in the same way as Robb is.

Mr. SPEAKER: Order. Might I ask hon. members to deal with the point of order?