

Bill (No. 36) to amend the Act incorporating the Kingston and Pembroke Railway Company, and the Act amending the same.—(Mr. Gunn.)

Bill (No. 37) to incorporate the Royal Society of Canada.—(Mr. Tassé.)

Bill (No. 38) to incorporate the Rainy River Improvement Company.—(Mr. Dawson.)

Bill (No. 39) to amend the Act 45 Victoria, Chapter 124, respecting the Board for the management of the Temporalities Fund of the Presbyterian Church of Canada in connection with the Church of Scotland.—(Mr. Charlton.)

Bill (No. 40) to incorporate the Acadia Powder Company.—(Mr. Tupper.)

Bill (No. 41) to incorporate the Dominion Railway Trust and Construction Company of Canada (Limited).—(Mr. Small.)

Bill (No. 42) to empower the President, Directors and Company of the Grafton Harbor to change the name of the said Company to that of the Grafton Harbor Company, to legalize certain proceedings of said Company, and for other purposes.—(Mr. Guillet.)

Bill (No. 43) to change the name of the Missionary Society of the Wesleyan Methodist Church of Canada to that of the Missionary Society of the Methodist Church of Canada, to extend their corporate powers, and for further amendments to their Act of Incorporation.—(Mr. McCarthy.)

#### FRENCH TRANSLATION.

Mr. VANASSE enquired, Whether the Government have had printed and translated in the French and English language, the appendix annexed to the report of the Select Committee appointed, last Session, to enquire into the operation of the National Policy in relation to the agricultural interests of the Dominion; if not, whether they propose to have it so translated shortly?

Mr. POPE. The Printing Committee alone will have to deal with this. The report is already printed. The Government have no control whatever over the matter.

#### DISTRIBUTION OF CENSUS RETURNS.

Mr. AMYOT enquired, Whether it is the intention of the Government to distribute to the parish priests, ministers, and other pastors of the various parishes of the Dominion, copies of the last Census returns?

Mr. POPE. The distribution, so far as the first volume is concerned, has already been made. Each member of the House has received four copies. A large distribution takes place to foreign corporations, scientific institutions and to libraries. We could not possibly, by any number we print, supply the clergy. That is a matter that can only be dealt with by the House. I would not undertake to deal with it.

#### KING'S COUNTY (P.E.I.) ELECTION.

On the Orders of the Day being called,

Mr. CAMERON (Huron). In pursuance of a notice I gave to the hon. the First Minister a week ago, I propose submitting to the House a motion with reference to the election in the electoral district of King's County, P.E.I. The facts connected with the case are very plain, and I think when the House will have heard them it will have little difficulty in arriving at a conclusion upon the subject. It is known, as I mentioned a week ago, that two members are entitled to seats for that electoral district in this Parliament. In the election of June last, four candidates sought the suffrages of the people for that constituency—Mr. McIntyre, who now occupies a seat in this House, Mr. MacDonald, Dr. Robertson and Mr. Muttart. A poll took place, upon which occasion Mr. McIntyre polled 2,124 votes; Dr. Robertson,

2,002; A. C. MacDonald, 1,940, and Mr. Muttart, 1,854 votes. It will thus be seen that Mr. McIntyre had a majority of 184 votes over the third candidate, the person who was third highest on the list, and that Dr. Robertson polled 62 votes over this third highest candidate; in other words, Mr. McIntyre and Dr. Robertson were the two candidates who polled the highest number of votes. Mr. McIntyre was declared elected by the returning officer, but Dr. Robertson, who had the second highest number of votes, was not declared elected. The returning officer, instead of doing what I think by law he was bound to do, and return to this Parliament the two candidates who had the highest number of votes, made what may be called a special return with respect to the second seat. Now, the facts contained in the special return have been submitted to Parliament, brought down by the Clerk of the Crown in Chancery, and published in the Votes and Proceedings; and from that special return one can see the ground upon which the returning officer failed to declare elected the person having the second highest number of votes. The alleged ground is that some seven days after the election a statement was made to the returning officer by certain electors that Mr. Robertson, at the time of his election, was a member of the Legislative Assembly for the Island. Now, Sir, in the view I take of this question, it is wholly unnecessary to consider that point—and, indeed, the returning officer had no right to consider it—and I respectfully submit that this Parliament has no right to consider it. The only question the returning officer had to consider by law was, who had the highest number of votes, and the returning officer erred in considering any other question, and in making a special return to Parliament; and it is the duty of Parliament to correct that error, leaving, of course, all the parties interested such remedy as the law gives them. I therefore, do not propose discussing at all the question of Mr. Robertson's qualification. As a justification for the motion I propose making, I may say that it is of the very first consequence to us here to know, now that a new Parliament is assembled, exactly what the duties and the responsibilities of returning officers are. Especially it is important for us to know that, in view of the fact that last Session the Government of this Dominion saw fit, for reasons best known to themselves, to change the law that had existed on that subject for some time—a law that, in my judgment, always worked well. If returning officers have the power of doing what appears to have been done in this case, gathering facts outside the returns submitted to him, if the returning officer has the right so to deal with candidates and with electors, then no candidate who seeks the suffrages of the people for a seat in Parliament is ever safe. If the functions of a returning officer are otherwise than as I contend they are—of a purely ministerial character—then I say the quicker we know that the better. If returning officers are allowed to exercise their judgment and discretion, and to say who is qualified and who is not, then the sooner we know that the better. In my judgment, that is entirely outside the duties of a returning officer. Now the duties of a returning officer are plain, and are so clearly laid down by law, that I do not see how there can be any doubt on the subject. These duties are laid down by the Act 37 Victoria, Chapter 9, Section 59. In so far as the duty of the returning officer is concerned after the votes have been polled, that duty is all practically embraced in this section, and reading it by the light we now have, reading it according to its clear grammatical construction, there cannot be any doubt as to the duties and powers of a returning officer. That section says:

"The returning officer, at the place, day and hour appointed by his proclamation, and after having received all the ballot boxes, shall proceed to open them in the presence of the election clerk, the candidates or their representatives if present, and of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate from the statements con-