

Again, it appeared that the candidate to whom the paper was presented was Returning Officer at the time. He then appointed his election clerk and issued his proclamations, which were placarded throughout the whole country. He was not giving his opinion as to whether he had the right or not. He thought, however, that the petition should not be rejected.

Mr. PALMER remarked that the petition under discussion complained of the returns and any petition complaining of the undue return of a member came under the jurisdiction of the Election Court. If the House had no right to take it into consideration, they had no right to receive it; but, if they had a right to receive it, they certainly had the right to take it into consideration. To tell him that was not an election petition if it came within the jurisdiction of the Election Court was absurd, for, he would ask, could the Election Court take cognizance of anything that was not an election petition? He thought the Election Court very clearly covered it, and it should not be received.

Hon. Mr. DORION, in repeating his opinion that it was not an election petition, thought that the real question before the House was whether a man, who comes in respectful terms and complains that justice has not been done him, should be turned away as would be the case if they rejected that petition.

Mr. PALMER thought that this was not the point. The petition, instead of complaining of the injustice of a returning officer, simply asked for the seat and for the return to be ordered. It asked for an alteration in that return, and for that reason it was an election petition.

Mr. SCATCHERD submitted that the House should not receive the petition on the grounds stated.

Right Hon. Sir JOHN A. MACDONALD said it was a matter of little importance whether the petition be read or not, since further steps to be taken by the petitioners would not depend on the receipt of the petition; but it would be well to come to some understanding on the matter, since they had a tribunal for the consideration of such subjects.

It had been ordered by Parliament that all petitions praying for election returns should go before a different tribunal in order to take away from the House all interference in such questions. He thought that they should avoid making such a precedent and they should come to the understanding that any petition that should go before the Judges should be refused in the first instance by the House. Such a course would relieve Parliament of a great many petitions and a great many tasks.

Mr. GEOFFRION considered it should be referred back to the Committee on Privileges and Elections.

Mr. KIRKPATRICK said that the petition complained of the undue return, and prayed that the return might be amended. The Election Court was the proper tribunal to try such cases. The House ought not to be dragged into the arena of party politics.

Hon. Mr. CAUCHON said they had their own laws with regard to contested elections, and only in extraordinary cases the House claimed jurisdiction. He thought the petition should be referred to the Judges.

The SPEAKER said he had no precedent to guide him in deciding as to whether the petition ought to be received by the House, and therefore he left it entirely to the House to determine. Consideration should be given to the question, in order that in the future similar petitions might not again be presented. His opinion was that it should not be received.

In reply to Hon. Mr. Cauchon,

The SPEAKER said he had not decided the question of order. He had simply given his opinion, and referred the question to the House.

The petition was then withdrawn, the House deciding that the petition could not be received.

* * *

PROHIBITION

Mr. ROSS (Middlesex West) submitted the second report of the Committee on the petitions for a prohibitory liquor law. The Committee called the attention of the House to the number of petitions presented to this and the last Parliament praying for the passage of a prohibitory liquor law, as indicating the state of public feeling with regard to the matter, and as demanding for it the serious consideration of the House. The committee considered that the intimate connection which was found to exist between the liquor traffic and crime of all kinds rendered it necessary to consider the question as to the advisability of restricting that traffic.

The Committee recommended the appointment of a Royal Commission to visit those States in the American Union in which such a law is enforced, for the purpose of enquiring into its operation with a view to the establishment of a prohibitory liquor law in Canada.

Hon. Mr. MACKENZIE said that the report not only suggested the expenditure of a sum of money, but also stated how it should be spent. He would advise the hon. gentleman either to withdraw his report or word it differently.

Mr. ROSS (Middlesex West) asked if it was not usual for Committees to make suggestions of the sort. The report merely recommended the appointment of a Royal Commission, and that might involve the expenditure of money, or it might not. He was willing, however, to make any change in the report which was necessary in order that the matter might come before the House.

Hon. Mr. TUPPER did not think that Committees were precluded from making any recommendations they saw fit.

Mr. BOWELL said that last year a recommendation was made that a Committee be appointed to test the quality of the liquors sold