

reason was I cannot tell. Possibly it was the great press of work in the office of the Clerk of the Crown, although, as most of the returns were in at that time, I cannot see why he should have been pressed so much in this particular case. I find that on the 2nd of April a *Gazette* was issued, but my name did not appear. I find that on the 5th my name did not appear, but on the 9th day of April my return was gazetted. Now it appears to me, and I think it must appear to every member of this House as well as to the country, that there had been some peculiar instructions of some kind issued to the officers who conducted the election. If not, why is it that that returning officer, who knew his duty and who knew the law and all the circumstances in connection with it, should have withheld the making of the return from the 17th or the 18th—the day on which he gave me notice of my return—until the 29th? And why is it that a return which was received here by the Clerk of the Crown in Chancery on the 30th, was withheld from the *Gazette* until the 9th of the next month? I think it is due, not only to the Ministry themselves, but to these returning officers who have delayed their returns, as well as to the Clerk of the Crown in Chancery, that this matter should be fully investigated, so that members of this House and the country at large may know exactly where to attach the blame, if blame there is. The law is plain; evidently some one has violated it, and in my case both the returning officer and the Clerk of the Crown in Chancery have violated the law. If they have a reasonable excuse for acting as they did, it is but right that we should hear what that excuse is, and the only way of hearing it is to bring them before the Privileges and Elections Committee, so that we may hear on oath what they have to say in defence of their action in this matter. I believe that this is one instance among many where the authorities in power have used the power they have in their hands, contrary to the law and contrary to honor, to defeat their opponents. I cannot easily forget the very humorous remark that the First Minister made, when this matter was being discussed in the House before. He said it was of no importance whatever, that gentlemen ought to be glad their returns were delayed, because the heat of the contest would have passed away, and of course protests would not be entered so frequently, protests were not so apt to be entered, as if the gazetting had taken place in accordance with the law. But how is it, as the hon. member for Bothwell (Mr. Mills) has conclusively shown, that every one of these hon. gentlemen opposite was gazetted as rapidly as possible? What mysterious influence has been brought to bear upon the Clerk of the Crown in Chancery, and upon the mail service of this country, as well as upon the returning officers appointed to conduct the late election, which made them all contribute their share to secure the early gazetting of these particular gentlemen. The only conclusion that can strike one is that all, like one hon. gentleman who spoke the other evening, rushed as rapidly as possible to the returning officer, and insisted on the returns being made as fast as they could, in order that the time for entering a protest might elapse. I believe that some mysterious influence of this kind has been brought to bear on these officers. In my own instance I do not know whether a protest has been entered, because to-day is the last day upon which a petition can be presented. But a gentleman wrote me on Saturday night that there would likely be a protest. But whatever may be the fact, I have to say this: that although the court concluded its labors on the 17th of March, one week from that day my opponents held their convention, when they concluded there was no evidence against me, and that they should not enter a protest. But they have had ever since that time to investigate matters, and I find that a few days ago my opponent was here. Whether he came of his own accord, or was summoned, I cannot say, but it is rather a strange coin-

Mr. MALLORY.

idence that the great majority of the defeated Tory candidates in the late elections have made flying visits to this city of late, and whether my opponent has been "loaded up the other way" in order to push the protest, I cannot say. I say it is only in accordance with justice, fair play and that loyalty to our country and to our constituencies, which hon. gentlemen opposite are so prone to ask from the people of this country, that a full and free investigation of this matter should take place, so that we may know where the blame lies, if there is blame.

Mr. CAMPBELL (Kent). This case seems to me to be so plain, and the duty of the House so clear, that I thought there would be no opposition to the motion which has been presented by the hon. member for Bothwell (Mr. Mills). I was therefore very much surprised when the hon. leader of the House proposed this amendment. Now, Sir, what are the facts? A charge is brought against the Clerk of the Crown in Chancery that he has failed to perform the duties devolving upon him, and a motion is made to refer the whole matter to the Committee on Privileges and Elections, in order that the charge may be investigated. To my mind that is a course which ought to be adopted without a moment's hesitation. Before that committee witnesses can be examined, and the matter can be investigated more fully and freely than anywhere else. What did we do a few days ago? It was charged against a returning officer in New Brunswick that he had failed to do his duty. The matter was referred to that committee, and what does the committee do? It reports back to this House that whereas it appears that irregularities have been committed, that officer should be sent for and brought all the way from New Brunswick to appear before this House to explain his conduct. In that case the resolution merely says that the irregularities appear to have been committed, whereas in this case there is no question at all that gross irregularities have been committed, and that on the admission of the officer himself. Therefore it is the bounden duty of this House to investigate these charges; it is due to the good reputation and character of the Clerk of the Crown in Chancery that that should be done. Therefore I hope that the matter will be referred to the committee.

Mr. BOYLE. It may seem presumptuous in me, a young member, to pronounce an opinion on any matter of this sort; but it seems to me that the time of the House is unnecessarily taken up in raking over every petty election scandal in the endeavor to account for the defeat our friends opposite sustained in the late elections. When this matter was first brought before the House by the hon. member for Bothwell, he drew a comparison between the conduct of the partisan returning officers, so-called, appointed by this Government, and the judicially inclined returning officers appointed by the Ontario and other Provincial Governments in their elections. Will it surprise hon. gentlemen opposite to know that whether by accident or otherwise, an almost similar state of affairs has prevailed in connection with the returns to the Clerk of the Crown in Chancery in the Ontario elections. It is true, the law is somewhat different in Ontario. There the time for entering a protest is not determined by the time the gazetting takes place.

Some hon. MEMBERS. Hear, hear.

Mr. BOYLE. Hon. gentlemen say "hear, hear," but I will come to the point directly. The Ontario law states that the returning officer shall make his return to the Clerk of the Crown in Chancery, and twenty-one days after that shall be the limit for entering a protest. What are the facts regarding the Ontario returns? The *Ontario Gazette* shows that on the very day the elections came off, the 28th of December, one Conservative and one Reformer were returned to the Clerk of the Crown in Chancery as elected; on the 31st of the same month, one Conservative and one Reformer were returned; so that up to that point we had