

more than earn a scanty subsistence: and, on the other hand, there were men possessed of millions. He maintained, then, as those who were familiar with election contests in the rural constituencies knew, that, as a rule, the expenses incurred by the friends of the candidates were incurred under the expectation that the candidate would reimburse the expenditure; and, therefore, if the candidate were placed in a position which made it impossible for him to reimburse, we should close up the most important channel through which corrupt practices entered into our elections. The English law provided for the appointment of an election auditor, and, in general, that no payments should be made except through this auditor; but the law providing at the same time that any payment the candidate or his agents might think necessary should be made by them left a loop-hole for evasion, and rendered the law to a certain extent nugatory. Another defect in the English law was that there was no provision for preventing the friends of the candidate from spending two thousand or five thousand pounds in his behalf, and then coming some months afterwards and saying, "My friend, I spent five thousand pounds on your election—give me a cheque for that amount." He (Mr. Blake) was prepared to cure this defect in the English law by the last of his resolutions, which provided that, before a member took his seat, he should take an oath that he has not paid, and will not pay any moneys except through an auditor. There could be no doubt that throughout the country, on occasions of contested elections, there was a very large amount of expenditure prohibited by law, expenditure calculated unduly to influence the electors. There was no doubt the evil was increasing; and there was no doubt that a constituency once debauched would remain so for a long time. This being the case, it was of the greatest consequence that the House should address itself with all zeal and earnestness to the important consideration how it should preserve the purity of elections. This was a country in which we could not permit the same process of expenditure to go on without being productive of results much more calamitous than in England, and for this reason, that as a general rule, men were neither poor nor rich. That was to say, we did not find a candidate to whom six hundred dollars were indifferent; and if election expenditures were allowed to go on the result would be that candidates, when they had bought, would consider themselves entitled to sell. He believed if his resolutions passed they would do more to prevent corrupt practices than anything which had been done before. It would be better for the House to pass a law to prevent these practices than to pass one to punish them after they had taken place, and it would accomplish that which they all believed in, namely, purity of election for members of this House. (Hear, hear.)

The resolutions having been read by the Speaker,

Atty.-General MACDONALD said he had always used the influence of his position against the committal of any act of bribery and corruption at elections. He advocated the most stringent punishment that could be reasonably enforced, and which could be asked of the Legislature to enact, with a view to prevent the offences under question. It would be found on reference to the journals of the House that he had been instrumental in causing parties to be prosecuted at the bar of justice. He stood clear on this question, but did not think that the House was prepared to go the length proposed by the hon. member. The Legislature of Ontario had placed in the session of 1868-69 a statute on the book, the provisions of which were as stringent as any in the world. The hon. gentleman wished to go still further, and would not wait to see the result of the Bill relating to the trial of controverted elections now before the House. They were told by the organs of the Opposition that there was no exercise of sound statesmanship on the part of the Government, that there was no patriotism on that side, that the motives of the Government were solely pecuniary, and that all the sound legislation that had been passed was due to the hon. member for South Bruce; but he would like to know how it was that they got along before the hon. member came upon the scene? The hon. gentleman then entered into some lengthy explanations with regard to the course of the Reformers in opposing Mr. Dorion's Bill in the Parliament of the late Province of Canada, contending that the Clear Grit section had opposed a measure which he, as a Reformer, considered it right to introduce into the present Assembly, and which was then adopted. This abandonment of their principles, in refusing to

support a measure of which they had formerly been in favour, took place on the eve of a general election, and on the ground that until Confederation was brought about it was desirable that no change should take place in the law respecting elections and the punishment of bribery. There was no more stringent law than the one now in force.

Mr. BLAKE said it was the old law.

Atty.-Gen. MACDONALD said the man who then refused to pass an Act with the view of preventing bribery, were now trying to carry still further the measure which they once opposed.

Mr. McKELLAR—Tell us the names of these men.

Atty.-Gen. MACDONALD said he would leave that to the hon. member. It was stated by the hon. gentleman opposite that his Government was a Tory one, but the gentlemen on his side of the House did not profess this. He claimed that it was a Government of the people, and for himself, defied any one to point to a single act of his which showed that he had ever had any proclivities other than those of a Reformer. In the Dominion House he had heard the leader of the Opposition there state that, he would be satisfied if the Independence of Parliament Act and the Election Law, which had been passed by the Ontario Legislature, were passed by the House at Ottawa. But it seemed that this would not do here, for they must be more pure than the Ottawa House. The hon. gentleman would not wait to see the result of the trial of controverted elections under the Bill proposed, but introduced these resolutions. The Attorney-General then quoted at length the clauses in the Election Bill of 1868-9, showing the fines which were inflicted in cases where bribery had been proved; the difference, he explained, between the Bill and the resolutions proposed being that the hon. member for South Bruce wished to make it imprisonment instead of a fine. They had not a sufficient amount of money in the country to render it necessary that they should introduce more stringent regulations than were in force in England, where far greater temptations to bribery were offered, on account of the much greater wealth of the candidates in that country. There was only one constituency in Canada at the last election which could be said to reach at all this stage, that of South Ontario.

Mr. FERGUSON—You gave some of the money spent there yourself. (Hear.)

Atty.-Gen. MACDONALD said he never gave a cent. The hon. gentlemen opposite wished, it seemed, to pass an Act to protect themselves from themselves. The members on the Government side did not want it, for they had not the money to spend, and consequently he was not prepared to alter or amend the Act which was now the law, and the provisions of which would shortly be carried out under the direction of the Superior Courts. With regard to the resolutions themselves, the hon. member for South Bruce did not state how the auditor was to be appointed.

Mr. BLAKE—Does the hon. gentleman know how the auditor is appointed in England?

Atty.-Gen. MACDONALD—I suppose it is in the Act.

Mr. BLAKE—Yes, but the hon. gentleman does not know. (Hear.)

Atty.-Gen. MACDONALD thought the House was not prepared to appoint an auditor who was to state what were legitimate expenses or not. By the action of the resolutions, if a member gave a small douceur to a boy for holding a horse during the progress of an election, it would have the effect of rendering it void. The Government intended to try the present Acts, and if they were not found to act well, in the opinion of the hon. member, he could come down again with a proposition to improve them. He would, therefore, move that all the words after "that" be expunged, and that it read as follows:—"That this House is of opinion that the provisions contained in the Election Law of 1868 may be taken as sufficient protection against bribery and undue influence at elections, until it was more clearly demonstrated to the contrary." (Hear.)

No other member rising to speak,

Mr. BLAKE replied to what, he said, he must by courtesy call the "arguments" of the hon. Attorney-General. (Hear.) The hon. Secretary had, in the course of the debate last session on the Controverted Elections Bill, stated (he quoted his words):—"If candidates were made to take an oath, and every elector compelled to take the same, they might have some check to bribery and corruption." (Hear.) The hon. Secretary then opposed his (Mr. Blake's) measure,

which he thought inefficient, but which he now, when introduced by the Government, thought would supersede anything else. The hon. gentleman then thought that the provisions of the Bill did not go far enough, but now the leader of the Government told him that he was quite wrong in doing so. So far as regarded the ground taken, that the Election Law and the Controverted Elections Bill were new and untried, he would tell the House that these measures were not new in the country from which they were taken. The hon. gentleman had boasted of his Election Law, but that law was substantially the same as that passed in England many years ago. The question consequently was by no means a novel one. And with regard to the Controverted Elections Bill, not only had England the Bill as proposed, but it also contained the provisions contained in the middle three of his five resolutions. To say, therefore, that they were entering upon a wholly experimental course of legislation, and one which experience showed was unnecessary, was to say that which the experience of the mother country had proved not to be correct. They had a stringent Bribery Act at the last election, but nevertheless there was a good deal of bribery and corruption, and large illegal expenses incurred; and the rule could not be denied that this corruption was likely to increase. He thought they would be acting a prudent, patriotic part in endeavouring, before the next general election, to make the law as effective as possible. The honourable gentleman had made, in the course of an historical survey, a furious onslaught on both his friends and foes for refusing to aid in passing an Act to further secure purity at the elections in 1867, and he (Mr. Blake) would refer upon the hon. gentleman his own words, and say that he and those who, under his leadership, would now reject his (Mr. Blake's) measure, were guilty of the crime which the hon. gentleman had charged—he (Mr. Blake) cared not whether rightly or wrongly—against his friends and foes. (Hear, hear.) This was the plain state of things. No argument had been used against the resolutions, but the House had had to listen to a long account of the grievances which the hon. gentleman had suffered. Gengary was at the time of the elections the only pure constituency, according to the hon. Attorney-General, at that time; but now he said that South Ontario was the only corrupt one. Such was the regard for truth and accuracy of the hon. gentleman. The Government, having thrown the penalty of imprisonment out of the old law on the erroneous statement that they had no power to enact it, now said that they would not restore it because it was not required. It was true that if the principles in his (Mr. Blake's) resolutions were carried out, some of the Attorney-General's supporters might experience some awkwardness in taking their seats after an election. What member of the House, who had taken a part in a contested election, did not know that there was a considerable expenditure of money which the law said was calculated to corrupt the constituencies and interfere with the purity of elections? This was a state of things likely to continue. Was it a state of things for which it was the interest of the country that it should continue? He answered, No. It might, indeed, be for the interests of men who knew they had persuaded the corrupt portions of their constituencies to elect them to oppose the passing of these resolutions. But it was not for the interests of men whose course in this House was such as to command the approval of the majority of their constituents. The passage of this law would be a boon to the country, and there was nothing this session he more desired than that the House should go into committee of the whole on these resolutions.

Mr. T. FERGUSON opposed the resolutions; arguing that the present law was stringent enough for all purposes. The hon. member for South Bruce had not shown that the English law had proved effective; and therefore he (Mr. Ferguson) would oppose the House going into committee on the resolutions. (Cries of "sit down.")

Hon. Mr. WOOD rose to address the House.

Mr. BLAKE said the hon. gentleman should have spoken previously to him (Mr. Blake) making his reply. He (Mr. Blake) had waited for the Treasurer, but he had not chosen to speak.

Hon. Mr. WOOD said he had intended to speak but could not get the opportunity. He would now say that as far as his observation had gone, bribery to a great extent had never been practised in this country. The effect of these resolutions would be the appointment of an auditor who would be irresponsible, and who might be the friend or enemy of a particular candidate.