

after the report was received.

Mr. MOWAT said it would be found when the return was brought down that any delay which had occurred in the issue of the writs had been owing to considerations entirely different from those which had been mentioned by the hon. member. In a large number of cases, however, it would be found that the writs had been issued within a short time of the receiving of the reports. For instance, in North Ontario the report had been received on the 27th of September, and the writ had been issued on the same day; in North Grey the report had been received on the 1st of October, and the writ had been issued on the 4th; in West Peterboro' the report had been received on September 27th; in Halton the report had been received and the writ issued on the same day; in Wentworth the report had been received on the 6th of October and the writ issued on the 7th; in Northumberland the writ had been issued on the same day that the report had been received; in Monck the report had been received on the 28th of May, and the writ issued on the 1st of June; in Welland the writ had been issued on the same day that the report had been received; in Cornwall the report had been received on the 19th of June, and the writ issued on the 23rd. In some of the others there had been more or less delay. He did not think that they were required, without paying any regard to the convenience of the electors, to issue the writs immediately upon receiving the report. It was well known that some seasons in the year were much more inconvenient for the purposes of an election than others. So far as the general elections were concerned, there was express authority given to the Lieutenant-Governor to fix a day for the elections, so that they might all be held upon the same day; but he thought that would be an extremely inconvenient arrangement to make with regard to those elections which took place after the general election. According to the statement of the hon. member there had been seventeen elections in the Province since the general election, and it would have been in every way in accordance with the strict principle of the law if it had been enacted expressly that these seventeen should all be held on the same day, but owing to the inconveniences of such an arrangement it had not been laid down in the law. The matter depended on many circumstances—on the diligence of the solicitors, upon the time of judgment being rendered, upon the business of the courts, upon the time when the Clerk of the House received the reports, and upon other such considerations. It was the duty of the Lieutenant-Governor to fix a day for the general election at a season which would be convenient for the constituents, and he held that this rule should apply to some extent to fixing those for individual elections. The hon. gentleman would observe that the elections in which delays had taken place were those in which the immediate issue of the writ would have proved very inconvenient to the electors. Another matter which had caused delay in some instances had been the determining to what officer the writ should be addressed; and it had only been after great hesitation and after a considerable amount of investigation that he had in some instances come to a conclusion on this point. With regard to Dundas, which had been referred to, the cause of the delay had been that representations had been made to him of the strongest possible kind from various parts of the riding that the Registrar at the former election had been chargeable with various acts which were inconsistent with the conduct of a fair returning-officer, and the question was whether they were bound to issue the writ to him, or whether there should be an investigation. In the end he had been re-appointed. He might say that the communications which had been written to him on the subject were all marked private, so that he could make no use of them. It had further been represented to him that all parties had desired that there should be a delay; and what he had learned from watching the newspapers confirmed the representations which had been made to him. He apprehended that no person would dispute that the time at which the election had finally been held was much more convenient than if an earlier date had been fixed. With regard to the other cases referred to, he would say that, as the law had stood previously, no matter when the report of the Judge was made no new election could take place until after the meeting of the House, so that when the House met after the second general election a number of seats had been

vacant; and their object had been to prevent that, and to make sure that before the House met all the vacancies should be filled up. The definition which had been given to the words "immediately" and "forthwith" in the Act had been construed to mean "within a reasonable time," and he thought it would be difficult to make out that any unreasonable delay had occurred in the case where the report had been received on the 19th of June and the writ had been issued on the 15th of July, which was less than a month. That was also true of Russell. In South Oxford the delay had been even less, the report having been received on the 5th of August and the writ issued on the 20th. The suggestion that there was any political motive in the matter was entirely without foundation; and the results of the elections in question should have shown that to the hon. gentleman. As the matters to which he had referred as causing delay in the issue of the writs had come entirely before his Department, he accepted the whole responsibility connected with the matter.

Mr. CROOKS denied that there had been arrangements made by the Government, or by any member of it, to suit his personal convenience in any way with regard to elections. He would only say in reference to some of the remarks of the hon. member for London that leading men in various constituencies all over the Province, from Algoma to the Ottawa River, where vacancies had occurred, had asked him to allow himself to be nominated; and there had been in no shape or form any interference by the Government or any member of it with the ordinary arrangements to suit his convenience.

Mr. BRODER contended that there had been delays which could not be excused by the argument that the dates fixed upon were more convenient for the people. He contended that the delay had been in the county of Dundas for political advantages to the Government. He maintained that the returning officer of Dundas had done his duty faithfully and according to law, and that any charges against him had arisen from partizanship.

Mr. MACDOUGALL (Simcoe) said it was satisfactory to hear that what had been regarded by the people as a violation of the law was not attributable to any impropriety of conduct on the part of any officer of this House. They had therefore to deal with the Government. He wanted to know what right the Executive had to interfere with the privileges of the House in a matter of that kind. The law said that the Speaker or Clerk, as the case might be, should cause the writ to issue forthwith on the receipt of the judge's certificate. The House ought to know if they were under the reign of law or of an arbitrary Government who could do what they pleased. If the Act were defective, it should be amended by a statute, but the law should be observed so long as it was unrepealed. The dictionaries showed that the judges had held the term "forthwith" to mean "as soon as conveniently may be." He believed the impression would go abroad that the interference here had been a political interference for the object of serving partisans of the Government, and had been a crime on the part of the Administration. He hoped when the return came down the House would be inclined to aid in the amendment of this Act so as to prevent the word "forthwith" being interpreted to suit, the view, of any Governments to mean two or three months.

Mr. HODGINS said members on that side of the House believed that as little as possible should be left to the discretion of the Administration in regard to elections. By looking at the law it would be found that the discretion of the Government was left in the narrowest possible compass. The Act respecting the general elections provided practically that no seat should be left vacant for more than forty days, so it would seem that where the word "forthwith" was used the writ should issue so that not more than forty days should elapse between the time the officer of the House received the report of the judge and the time when the writ should be satisfied and the election completed. The other clauses of the Act provided that the day of election should be not more than twenty and not less than sixteen days from the date of the writ. He thought it would be scarcely reasonable to look upon a limit of two months as being a "forthwith" according to the statute.

Mr. O'SULLIVAN said the people in South Victoria had complained of the election being held in the busy season, but the