

had been sent to expedite the returning officer's movements. Hon. Mr. Garrow volunteered the information that the official in question had been ill. Mr. Matheson made a fierce attack upon the Government in connection with the payment of \$400 to the publisher of a Sault Ste. Marie paper on account of a pamphlet advertising the agricultural possibilities of Algoma, and charged that the payment was made for election purposes. It transpired, however, that the order for the pamphlet was given months before the elections, and the payment on account was not made until assurances were given that the work was well under way.

#### New Judicial District.

Hon. Mr. Ross introduced the bill to convert Manitoulin into a provisional judicial district.

#### To Continue a Councillor.

Mr. Richardson introduced a bill to amend the municipal act. It provides that if the County Council division for which the County Councillor was elected is separated from the jurisdiction of the county, the separation shall not affect the qualification of the County Councillor, and he shall continue a member of the County Council until the expiration of the term for which he was elected.

#### To Sue For Statute Labor.

Mr. Farwell introduced a bill to amend the assessment act. It amends section 127 so as to enable the commissioners to sue for the amount of statute labor in a Division Court having jurisdiction anyone liable to perform statute labor who wilfully neglects or refuses to perform the same.

#### South Perth Election.

Mr. Whitney inquired whether any return had been received of the South Perth bye-election.

The Speaker answered in the negative.

Mr. Whitney then quoted sections 128, 134, 136 and 138 of the revised statutes, all of which have references for the guidance of the Judge and returning officer in cases similar to the South Perth election. The last of these sections Mr. Whitney emphasized. It provides that a returning officer may be sued for neglecting to return any person duly elected. Under the sections quoted, Mr. Whitney said, the return now looked for should have been made by the 17th inst. at the latest. He quoted from The Globe of the 15th inst. a paragraph dated from Stratford on the preceding day, and which was to the effect that the South Perth bye-election re-count had been concluded, with the result that the Judge had declared Mr. Monteith elected. If, he reiterated, the decision had been made on the 15th, then two days later the returns should have been made. He had no positive testimony that the Judge had made out his certificate, but had every reason to believe that his Honor

had done so on Friday last. If that were the case, and he had the strongest reasons for believing it to be so, there could not be any possible excuse for delaying the return. He did not desire to be understood as making any charge at present against anyone, nor would he say anything as to what he had heard regarding wagers having been made to the effect that Mr. Monteith would not vote on the Senate motion. Between now and 3 o'clock tomorrow afternoon, however, he would make it his purpose to endeavor to find out positively at what time the Judge's certificate had been made out. Should the facts then turn out as he had grounds to believe they would, he would endeavor to take such steps as Parliamentary rules allowed to bring the returning officer before the House to explain what he meant by depriving the people of South Perth of their representation in the Legislature, and he would regret if one of the consequences of that proceeding was to delay the session of the House.

Mr. Hardy—I know nothing of the matter whatever beyond what I have already told my hon. friend. A telegram has been sent to the returning officer.

Mr. Whitney—And no reply has been received. I am not blaming my hon. friend the Attorney-General.

Mr. Garrow—I understand that the returning officer has been very ill.

Mr. Whitney—I have no doubt, whatever the facts in the case are, that that returning officer, whose conduct heretofore is so well known, will have something to offer in the nature of an excuse.

#### Third Readings.

Respecting the Town of Niagara Falls—Mr. German.

Further to improve the San Jose scale act—Mr. Dryden.

To consolidate the debt of the Town of Mattawa.

Respecting the Town of Smith's Falls—Mr. Matheson.

To consolidate the debt of the Town of Leamington—Mr. Auld.

To legalize and confirm by-laws 488 and 489 of the Town of Sarnia—Mr. Pardee.

#### Mr. Preston's Position.

In reply to Mr. McLaughlin, Hon. Mr. Hardy said the Government had no knowledge as to the capacity in which Mr. W. T. R. Preston was now employed beyond what had been published in the newspapers. The gentleman referred to was not employed by this Government, and they were not aware what salary or expenses he received.

#### Aid to Smelters.

Hon. Mr. Gibson said that the Government had not entered into any agreement for granting assistance other than allowed by law to any smelter. Representations had been made to them in connection with a charcoal industry, and it was expected that certain resolutions on the subject would be introduced for the consideration of the House this session.