

HEELERS WHO PREY UPON PUBLIC MEN.

Necessity For Amendment of Ontario Elections Act.

EVIL OF SAW-OFF PROCESS.

Government Proposes Automatic Issue of Bye-election Writs.

Mr. Clark's Bill to Prevent Trivial Election Petitions Discussed—Abolition of Statute Labor Legislation—Public Measures in Legislature.

The harassment of members of Parliament by trivial election petitions, and, incidentally, the evil of "sawing-off" process, were very thoroughly discussed in the Legislature yesterday, when Mr. Hugh Clark moved the second reading of his bill to amend the controverted elections act. Mr. Carscallen of Hamilton was particularly outspoken in urging the House to get after the "heelers and grafters who prey upon members of Parliament," for they were driving decent men from public life. Attorney-General Gibson showed that the existing act provided for most of the difficulties which Mr. Clark had aimed at removing, but thought that much good would be done if the bill were referred to the Legal Committee and seriously considered there. He mentioned that he was endeavoring to prepare an amendment to the act that would make the issuing of writs for bye-elections absolutely automatic. A number of public bills were advanced a stage, and the House spent the evening in supply.

To Stop Trifling Petitions.

Mr. Hugh Clark, in moving the second reading of his bill to amend the controverted elections act, said sufficient time was not given to file petitions after an election. A petitioner could file a petition without special knowledge of offences. The petition would hang over the respondent possibly for a year, and the petitioner knew that he could get back most of his deposit. There should be a forfeiture of the deposit if the petitioner failed to proceed. The public had the opinion that the iniquity of the election system lay in the saw-offs. The iniquity did not begin with the saw-off. He was not persuaded that saw-offs were always iniquitous. The trouble was that the saw-offs did not apply in most cases to elections that had been honestly won. Protests, it would be admitted, had been entered during the last few years, not altogether because elections had been corruptly won, but because the majority was small, or because, for some other reason, the petitioners thought they could win back the seats if they were once opened, and the petitioners were willing to take chances, even by a technicality. The saw-off could easily be got rid of—and it had brought politics to some extent to a degraded condition—by the Government accepting his amendment. These things were not the fault of any one party. The saw-off could be traced back to no one party. There should be no party difference, therefore, among them on the

question. Saw-offs would always be, so long as wholesale protests were entered.

Cost of Trials Great.

Those who moralized upon it and objected to saw-offs would not do so if they had to bear the cost of election trials when the elections were proved clean. It cost in the neighborhood of \$10,000 to fight an election petition. This was a very low estimate. The South Oxford protest must have cost in the neighborhood of \$17,000. Suppose the Province had to bear the cost, how many protests would the people stand at the rate of \$15,000? They would not stand more than one or two. And yet the people had an idea that the politicians ought to stand the costs. His object was to reduce the number of election petitions. They were not all necessary. He would not be one to do anything to make it possible for any person to conduct an unclean election and escape the consequences. He proposed to give them time enough to find out if there was anything to warrant a petition. He proposed sixty days instead of twenty-one days. If the defeated candidate put in a petition and abandoned it he should forfeit his deposit.

A Tremendous Penalty.

Hon. Mr. Gibson said there ought to be no difference between the two sides of the House in the desire to treat this subject in such a way as would conduce best to public morality and to purity of elections. The question was entirely whether the bill would have a tendency to improve the existing condition of things. In one part of the bill petitioning was invited, and in another it was made almost prohibitory. He did not think that where a petition was entered in good faith the petitioner should be compelled to proceed should further inquiry show that there was not sufficient evidence to make out a case. The provision that unless a petition was pushed through to trial the petitioner should lose his deposit was imposing a tremendous penalty on any person who had acted in good faith. Criminal prosecutions had been begun many and many a time in good faith and subsequently abandoned because it was found impossible to support the charges by the necessary evidence. The extension of the time for the filing of petitions to 60 days would be an invitation to constituencies generally to file petitions and work up cases. He himself was in sympathy with the idea that petitions should be filed as soon after the elections as possible.

Sawing-off is Illegal.

"The member for Centre Bruce has said a good deal," continued the Attorney-General, "regarding the sawing-off of election petitions. I presume most hon. members know what that means, although I must confess I do not find any reference in the act to any proceeding of that nature. I agree with him that this so-called sawing-off, or method by which there is a simultaneous abandonment of proceedings, has not always taken place in cases where there were the best of reasons for abandoning proceedings. In other words, I do not believe such processes have been confined to cases entirely where there has been an absolute absence of evidence." He was not speaking of his own knowledge, but he understood that to be the case. The hon. gentleman had, however, omitted to observe certain provisions in the existing act, which went a long way to meet the difficulties which he appeared to be laboring under with reference to the abandonment of petitions. In the event of a petitioner failing to prosecute his petition it was quite open for someone else to intervene and insist on being made a party to the petition.

Mr. Whitney—Does the hon. gentleman know of a case where that happened?

Mr. Gibson replied that he had known of such cases, but admitted that they had been extremely rare. Another section of the act provided that