## NOTE E. (*p.* 43.)

It is believed that the arguments used by Mr. Cameron in support of the Judge's report are sound, and should have prevailed. On a comparison of the terms of the old law, with those of the act of 1851, it will be obvious that the powers conveyed to the Commissioner by the latter greatly exceed those contemplated by earlier legislation. It may also be said that the proposition that the Judge, being authorised to scrutinise must report the result, should be considered conclusive. It is probable that should the question again arise, the concurrent opinion of the two Judges on this point, would be sustained, in opposition to that of the Committee. There is no doubt, however, that the correctness of the Judge's opinion upon each vote, might be impugned before the Committee, who could themselves go thoroughly into the evidence, so that the report would not otherwise affect the case, than as being the expression of an opinion by a person eminently qualified to form a just one.

The second branch of the decision of the Committee shews the extreme desire that appeared to prevail to find fault with the proceedings of the Judges. It will be observed that they say that the Judge should have ordered the Poll Books to be produced "on the application of the Sitting Member." Strange to say, there never was any application to that effect by the Sitting Member, nor did he or his Counsel pretend before the Committee that there had been. He applied to the Judge to prevent the Petitioner from proceeding upon a copy of the Poll Books, which the Judge could not do; for he was constrained by the 13th and 14th Vict., cap. 19 § 4, to consider that copy sufficient proof of the Poll, and of the same effect as the original; but he never made the proper application to the Judge to get the original Poll books, though his Counsel well knew how to do so; and on making it would doubtless have obtained them.

---

## NOTE F. (*p.* 46.)

The Committee must have become conscious of the absurdity of the decision contained in their second resolution; for in scrutinising the votes in Mille Isles and Gore, they did not require evidence that the voters who voted at those