

right to be on the list and that the revising barrister had so decided, then the judgment of Judge Elliott made these voters good which the revising barrister decided to be bad. Consequently the member returned has no legal majority. It strikes me in this connection as strange that the hon. gentleman should sit here, that a man in regard to whom it was a question as to whether he had obtained a majority, shall not go again to the same electors. There is such a thing as a man throwing down the gauntlet and succeeding, and nothing in this world receives the approbation of honourable men, like the action of a man who, on being accused of unfairness, declares he is ready to again appeal to the same people, who returned him previously. Is it fair, on the other hand, that the candidate receiving a majority of the qualified votes should, owing to the conduct of Judge Elliott, be deprived of his seat? The hon. member for South Norfolk (Mr. Tisdale) treated very lightly the accusation that the judge wrote political articles, and it seemed to be the height of the ridiculous when he said that there should be an affidavit produced to show that this was true. Fancy a petition coming into this House with an affidavit of its truthfulness attached? How would such a petition be dealt with here? Whoever heard of pleadings in a court being sworn to before evidence was given. At certain steps this must be done and in certain kinds of action, but this is not the kind of subject in which it is called for. I can understand also, if these men are unworthy of credence, why we should not proceed; but if 47 petitioners declare that Judge Elliott did write the articles for the newspapers, then I care not whether he gave a wrong judgment knowingly or not, the fact that he wrote political articles unfitted him to be a judge. It is very well to talk about this old christian gentleman and about his great virtues, but if a man has no more respect for the bench, before whom the parties may come, who have their political views, before whom as he knew these very parties would come of whom he was writing, then during the heat of an election contest to write for a newspaper on one side is to unfit him to sit in the poorest court in the land. Is this fact true or not? Is it worthy of being investigated or not? If enquired into, what would be done? It seems to me that is the whole point. I can very well understand how a legal argument can be made in regard to this judgment and an argument adduced to show that it should not be disturbed, but if behind the judgment there is a judge, who at that time was writing political articles, then he was unfitted to give that judgment or any other. I do not believe there is another judge who would act in this manner, but if there should be such a one, the most wholesome action we could take with respect to Judge Elliott was to have an investigation in order that there may not be a repetition of such an occurrence. Have we come to this point, that judges can write political articles and Parliament should not enquire into the matter? I admit it is a grave matter for Parliament to investigate the conduct of any judge, and except for the fact that many men had made statements detailing the actions of the judge, I would have some difficulty in coming to the conclusion that Parliament should enquire into the matter. If these statements were true there should be no difficulty in making an investigation. I have never

known any judge, with whom I have come in contact, so act. I know judges who were heated partisans in the arena of politics, I know men in Nova Scotia, on the bench to-day, who held high positions here, and whose political leanings, in the different cases, have been, if anything, against the party with whom they were originally associated, lest it should be considered that, as they were partisans at one time, this fact would give them leanings in a certain direction. But this old christian gentleman, grey-haired in the service of God, as he was represented by the member for North Norfolk (Mr. Tisdale), after all these days was removed from the political turmoil of his years, presiding with judicial dignity over a hundred thousand people—what a large place that must be over which he presides—how that he so far forgot himself as to write political articles is a remarkable circumstance. He was prepared to help his political friends. Is that true or is it not? Does the fact that 47 respectable people say it is true, form a sufficient ground for parliamentary action? If not, then I can understand the position taken, but if it has to be verified by an affidavit I cannot understand it. If the fact that these people are clerks or merchants or tailors is to debar them from petitioning Parliament to enquire into the conduct of a judge or anybody else, then I say that this Parliament has come to be a farce. If the only ground that the hon. gentleman urges as to their character is because of their associations, I do not believe that that is any reason against their petition being heard. The fact that a clerk has a yard stick in his hand and measure cotton or broad cloth, or sells groceries or that a tailor either with his own needle or a new sewing machine makes a coat, does not debar them from petitioning Parliament. If that were the case it would be for Parliament to lay down a rule as to the character of the petitioners that will be heard; it would be for hon. gentlemen opposite to have an *index expurgatoris* of all these characters so that none of them can enter Parliament to petition, and it would be for those hon. gentlemen to have the effrontery to say that because men are clerks or tailors we shall pay no heed to them. I thought that any man's position in this country, so long as he was an honest man, entitled him to the ear of Parliament. I have been vainly dreaming that in this country we were building up a nation where class distinction could not prevail, but I see I am mistaken. The hon. member for South Norfolk (Mr. Tisdale) has dispelled the illusion, and he has discovered that the character of these people is such as not to entitle them to petition. Well, I do not believe that. If all that is contained in this charge is true, it is the duty of the Government to enquire into it and to ascertain the conduct of the judge previously with regard to political partisanship. If the Government do not enquire into this matter, we will soon have a new word coined in this country, and when a man by force takes away his neighbour's goods and keeps them we shall say, not that he stole them, but that he "Elliottized" them. It is our duty to proceed with this enquiry, first, in order that we may bring down on these people the just retribution which should fall upon any men who attack a judge if they cannot prove what they said, and secondly, if the charges are true, to show a man who now occupies a place on the bench, that when he gives judgment he must remember that he ceases to be a partisan, and that