

March 7, 1873

might make it in another, and he did not think the hon. gentlemen opposite were consistent in this respect. Mr. Bertram might have suffered a wrong, but they were not the tribunals to decide the matter. A proper tribunal had been established and it was their duty to refer the matter to that tribunal. The hon. gentleman opposite had complained that the people of Peterborough West would not be properly represented.

He (Hon. Sir John A. Macdonald) called the attention of the House to the time when the late Mr. Sandfield Macdonald moved in the Ontario Legislature the adjournment of the House for a few weeks until the representatives were elected for a number of constituencies then unrepresented. The hon. gentleman at that time opposed the motion, and, taking a vote before the election of those representatives, succeeded in defeating the Government. This was not in accordance with his present argument. He held they were not bound to act upon the precedents of the old Parliament. The reason they followed the precedents of England was because the law was the same here as there.

The hon. gentleman referred to the action of the Nova Scotia Government to show that the Government in these particulars were acting constitutionally, and he also read a long article by Mr. Todd in support of the same. The course the House should pursue was to reject the motion and refer the matter to a committee for decision, and he was satisfied the Committee would arrive at a right and just conclusion.

The reason that he had moved an amendment was not to oust the House of its jurisdiction because it had no jurisdiction, but that the opinion of the legal committee might be got; the House could deal with the case afterwards. The tribunal appointed by law would decide whether the party claiming the seat or the party holding it was the right one.

The motion in amendment to the amendment being then put to the vote it was lost on the following:

Yeas 79; nays 95.

YEAS

Messrs.

Anglin	Archibald
Bain	Bécharde
Bergin	Blain
Blake	Bodwell
Bourassa	Bowman
Boyer	Brouse
Buell	Cartwright
Casey	Casgrain
Cauchon	Charlton
Church	Coffin
Cook	Delorme
De Saint-Georges	Dorion (Drummond—Arthabaska)
Dorion (Napierville)	Edgar
Ferris	Findlay
Fiset	Fleming

Fournier
Geoffrion
Gillies
Harvey
Holton
Huntington
Joly
Landerkin
Mackenzie
Metcalfe
Oliver
Paterson
Pelletier
Pozer
Ray
Richards
Ross (Middlesex West)
Ross (Victoria)
Rymal
Smith (Peel)
Stirton
Thompson (Haldimand)
Trow
Wilkes
Young (Waterloo South)—79

Galbraith
Gibson
Hagar
Higinbotham
Horton
Jetté
Laflamme
Langlois
Mercier
Mills
Pâquet
Pearson
Pickard
Prévost
Richard (Mégantic)
Ross (Durham East)
Ross (Prince Edward)
Ross (Wellington)
Scatcherd
Snider
Taschereau
Tremblay
White (Halton)
Young (Montreal West)

NAYS

Messrs.

Almon	Baby
Baker	Beaty
Beaubien	Bellerose
Benoit	Blanchet
Bowell	Brooks
Brown	Burpee (St. John)
Cameron (Cardwell)	Campbell
Carling	Carter
Chipman	Chisholm
Colby	Costigan
Crawford	Cunningham
Currier	Cutler
Daly	Dewdney
Dodge	Domville
Dormer	Doull
Dugas	Duguay
Farrow	Flesher
Fortin	Gaudet
Gendron	Gibbs (Ontario North)
Gibbs (Ontario South)	Glass
Grant	Grover
Haggart	Harwood
Hincks (Sir Francis)	Howe
Keeler	Kirkpatrick
Lacerte	Langevin
Lantier	LeVesconte
Little	Macdonald (Sir John A.)
McDonald (Cape Breton)	McDonald (Pictou)
MacKay	Mailloux
Masson	Mathieu
McAdam	McDougall
McGreevy	Merritt
Mitchell	Moффatt
Morrison	Nathan
Nelson	O'Connor
O'Reilly	Palmer
Pinsonneault	Pope