

Act to revive and amend the Act 22 Vic. cap. 101, incorporating the Canadian and British Telegraph Company.

The Honorable Mr. Wood, from the Select Committee appointed to try and determine the matter of the Petition, complaining of an undue Election and Return for the Electoral District of *Bagot*, presented to the House the Final Report of the said Committee, which was read, as followeth :—

Your Committee beg leave to report to Your Honorable House, the following Resolutions as their final and unanimous decision :—

Resolved, That *Pierre Samuel Gendron*, Esq., is duly elected Member to represent the Electoral District of *Bagot*.

Resolved, That the Petition of *Raphael Ernest Fontaine*, Esq., Advocate, of the Parish of *St. Hyacinthe le Confesseur*.—*Joseph Theberge*, farmer,—*Olivier Morin*, Senr., Miller, —*Olivier Morin*, Junr., also Miller, of the Parish of *St. Pie*, in the County of *Bagot*, is not frivolous, or vexatious.

Resolved, That the defence of the said *Pierre Samuel Gendron* against the said Petition is not frivolous, or vexatious.

Pursuant to the 90th Section of the Act respecting Controverted Parliamentary Elections, Your Committee report with its final decision, the following Resolutions upon which divisions were taken :

21st April.

It was Moved, That although the Petition purports to be a Petition from the Electors of the County of *Bagot*, and the Election to have been for a Member to represent the said County in The House of Commons, yet as the Electoral District of *Bagot* and the County of *Bagot* are one and the same, the objection that the words "the last Election for the County of *Bagot* of a Member to represent the said County in the House of Commons," instead of "the last Election of the Electoral District of *Bagot* of a Member to represent the said District in the House of Commons," be, and the same is hereby overruled; and the question being put, the Committee divided, as follows, on the above motion :—

YEAS.

Mr. *Masson* (*Terrebonne*),
Mr. *Merritt*,
Mr. *Mills*.—3.

NAYS.

Hon. Mr. *Wood*,
Mr. *Masson* (*Soulanges*).—2.

So it passed in the Affirmative.

22nd April, 1869.

It was Moved, That inasmuch as the Petitioners do not intend to go into a scrutiny, and no lists of objections have been filed by the Petitioners, nor any particulars furnished as to any of the charges or allegations of corruption or undue influence, and as there is no allegation of knowledge or scienter on the part of the sitting Member as to the alleged spiritual influence said to have been exercised at the said Election, which said spiritual influence, if properly alleged and true would, of itself, in the judgment of this Committee, be sufficient to render the said Election absolutely null and void, it being admitted that the sitting Member was not Postmaster. This Committee, under the peculiar circumstances of this case, without intending to lay down any general rule for the determination of future like cases, are of opinion that taking into consideration the frame of the said Petition in all its parts and the prayer thereof, that they would not be justified in declaring the said Election wholly void, and therefore that the said Petition should be dismissed, but at the same time, they are of opinion that the said Petition is neither frivolous nor vexatious; and the question being put, the Committee divided, as follows, on the said motion :—

YEAS.

Hon. Mr. *Wood*,
Mr. *Masson* (*Soulanges*),
Mr. *Masson* (*Terrebonne*),
Mr. *Merritt*.—4.

NAY.

Mr. *Mills*.—1.

So it passed in the Affirmative.