the right to sit in this House. Hon. gentlemen opposite say it is very clear Mr. King was legally qualified. How am I to know that? I have no certificate as to his qualification. I believe that the revising officer, before acting as he did, decided, after the legal argument, that Mr. King was not legally qualified, and, therefore, was not a legal candidate. If, therefore, hon. gentlemen wish that every man who has a seat here should have complied with the law in every point, they should not desire to have Mr. King as member, if he were not legally qualified. I have said this matter should go before the courts, and that is the view that would be taken by hon. gentlemen opposite if they were half as conscientious as they pretend to be. This is the conscientious side of the House, and we are acting conscientiously in the matter. Let the courts decide who is the gentleman entitled to the seat, and we will see that he gets it.

Mr. WELDON (St. John). I wish just to make a few remarks, and I intend to do so, perhaps, mainly in reply to some remarks made by the sitting member for Queen's in his explanation to the House to-day. Judging from the remarks he made, it would be inferred that the parties connected with the revision of the lists were in entire sympathy with this party, and had an object in preparing the lists in Queen's county for the purpose of giving the Liberal party ascendancy. Knowing these gentlemen, I think, as a member of the Province of New Brunswick, these statements should not be allowed to go without contradiction. With regard to the revising barrister who had charge of the county of Queen's, he was a gentleman who has had a large share in the conduct of public affairs in New Brunswick, prior to Confederation; but I can say that, so far as he and I are concerned, we have never been in political sympathy, and he has been connected and associated with the Confederate party, and in entire sympathy with the party led by the right hon. the Premier. While he was in political life he received the respect of everyone, whether opposed to him politically or not. He was the associate of the late Minister of Finance, and of other hon. gentlemen who have sat in this House; and I believe, if the present Lieutenant Governor of New Brunswick was a member of this House, when he heard the remarks of the sitting member for Queen's (Mr. Baird), he would have denounced the assertion. Judge Steadman's sympathies have been with the present Government, but since he has been on the bench, and before, I have not heard his honesty impugned in the slightest degree. Then, in regard to the gentleman who was employed by him as his clerk, Mr. Babbitt, who has been registrar of the county for a number of years. I believe his sympathies are with the Liberal party, but whatever he did was under the direction of Judge Steadman, and when it is stated that he sent back the applications made to him, he could only have done that with the knowledge of Judge Steadman, who must have been a party to it. Then the gentleman accuses the sheriff of taking a part. The sheriff has already been spoken of by my colleague from St. John, so I will not enter into that question; but, as far as the conduct of elections in which he has taken part is concerned, I have never heard a shadow of a shade of doubt cast against him. After he was ousted out of his position as returning officer, at the instance of the hon. gentleman, no doubt he felt justified in taking any course he chose, in the same way as anybody else. The hon. gentleman spoke of the gentleman who was employed by Judge Steadman to make these lists, and he would infer that he was a Liberal. He was a lawyer, a young lawyer it is true, but I know he was one of the most active men in sympathy with the Liberal-Conservative party. It is a curious fact that, from the judge down to the least important officer who was employed, except the sheriff, who had nothing to do with it, everyone who was connected with the revision of those lists was in entire sympathy with the Liberal-Conservative party. Every revising officer in New Brunswick did his duty fairly and impartially without respect to either party. So far with regard to the statements of the member for Queen's. As to the remarks of the Minister of Justice, it seems to me that he stood in the position of a lawyer having a brief. In the way in which he argued his case, he reminded me of a friend of mine in a court in New Brunswick, who put forward a certain proposition. The judge said: "Mr. Thompson, do you believe the point you are arguing?" The lawyer said: "Well, I do not believe it at all, but I want to make you believe it." If my hon. friend the Minister of Justice were sitting as a judge to-night, and he was unequalled as an administrator of justice in the Province of Nova Scotia, I would not be afraid to argue this case before him and abide by his decision. These hon. gentlemen admit that this Parliament has the right to go into the question of personal disqualification, but they endeavor to draw a line between that and the other case. I challenge any member of this House to show a precedent for this. As was pointed out by my hon. friend from Queen's, P.E.I. (Mr. Davies), there has been no precedent for a minority candidate being returned. My hon. friends, who were associated with me on the sub-committee, and myself, could not find a single case in the annals of the House of Commons where a minority candidate was returned by a returning officer. My hon. friend from Jacques Cartier (Mr. Girouard) says that, prior to 1873, and prior to 1868, cases have no bearing on this question, because, he says, an election petition can only be questioned in a court of law, as provided for in the Acts passed in those years.

Mr. GIROUARD. Not only an election petition, but any election.

Mr. WELDON (St. John). If my hon. friend will take Sir Robert Peel's Act, he will find that the House divested itself of the power by the appointment of the General Elections Committee. The judges of the land stand in the same position now as the select committee did. That General Elections Committee occupied the same position as a single judge who is put on the rota to try an election case stands in now. If he examines the matter, he will find that the judgment of the Elections Committee was as final and complete as that of a judge at the present day. Still we find the power exercised. Subsequent to the Act of 1868 in England, we find that the House of Commons exercised the right in the cases of Sir Sidney Waterlow, O'Donovan Rossa, Michael Davitt and John Mitchel. The second case of John Mitchel was brought before the courts, but not before Parliament. A petition was filed, and he died in the interval, and a motion was made to substitute the returning officer to go on with the petition. In the first case they declared the seat vacant, as they did in the case of O'Donovan Rossa. The Minister of Justice said these were cases of notorious disqualification, that they were civilly dead. If this were the only case, that contention would be very strong. But Sir Sydney Waterlow was not civilly dead. He was returned for the county of Dumfries. The petition was presented in the Court of Sessions in Scotland. That was abandoned, and he took his seat as the hon. member for Queen's has taken his seat. His disqualification was not notorious. It was a very doubtful question. He had simply incurred the penalties of all those having contracts with the Government. They might have said that if he chose to sit in the House, he might be left to suffer the penalties. The matter was brought up and referred to a special committee, and that committee reported that Sir Sydney Waterlow was disqualified, by reason of being connected with a contract, and the seat was declared vacant and a new writ issued. Now, this shows that the House of Commons was prepared at the proper time to carry out the law, and to purge the House of those who were not properly entitled to sit in it. Hon.