

Mr. THOMPSON. I move this question be put: "Are proceedings relating to the recount and the prohibition still pending in the Supreme Court of New Brunswick?"

Motion agreed to.

Mr. DUNN. From report, the proceedings relative to the recount and the prohibition are still pending. The rule was made absolute in the Supreme Court of the Province of New Brunswick, but the case had not been argued.

Mr. WELDON (St. John). Made absolute?

Mr. DUNN. The rule has been made absolute. Perhaps I am wrong. I say from report I saw in the newspaper that the rule had been made absolute.

Mr. WELDON (St. John). I move that this question be put: "You refused to act upon Judge Steadman's order for a recount on account of Judge Tuck's order, yet did you not make a return to the Clerk of the Crown in Chancery without the ballots and proceedings, although you were aware the proceedings were going on in the Supreme Court?"

Motion agreed to.

Mr. DUNN. I refused to act upon Judge Steadman's order for the recount on account of Judge Tuck's order, yet on the advice of Ezekiel McLeod, Q. C., and ex-Attorney General of the Province of New Brunswick, or one of the ex-Attorney General's, I made my return to the Clerk of the Crown in Chancery without the ballots and proceedings, although I was aware by report that the proceedings were going on in the Supreme Court.

Mr. WELDON (St. John). I move that the witness be asked the following question: "If you believed Judge Tuck's order extended to you as returning officer, how did you, in the face of the peremptory stay of proceedings on it, make a return nevertheless of Mr. Baird, the minority candidate?"

Mr. IVES. The question is hardly a fair one, for this reason, that the order read is a stay of proceedings in the recount, not an order to restrain the returning officer from making a return.

Mr. McCARTHY. I understand the stay of proceedings was to the judge, not to the officer.

Mr. DAVIES. The witness has stated that the reason why he did not return the ballot boxes was because he was prevented by the *nisi* directing a stay of proceedings. He is now asked: "Do you believe that the rule *nisi* was a peremptory stay of proceedings extending to you; if so, why did you fly in the face of it and return the minority candidate?"

Motion agreed to.

Mr. DUNN. I acted on the advice of Mr. McLeod. I produced the rule *nisi* for a writ of prohibition when I consulted him, and he told me it was simply against the recount, not against any return.

Mr. WELDON (St. John). I move the following question be put: "Why did you not forward the ballot papers and proceedings with the return?"

Motion agreed to.

Mr. DUNN. I did not forward the ballot papers and proceedings with the return because I was advised not to do so by Mr. McLeod.

Mr. WELDON (St. John). I move the following question be put: "Do you know L. A. Currey? What is his profession, and where does he reside? Had you any conversation or correspondence with him touching the objections to the candidature of Mr. King. State the substance of the conversation or correspondence."

Mr. LYONS (Counsel). I object to that question, on the ground, principally, that it is a very complex question. I think it would only be fair to the witness to break it up into

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three or four questions, if it is to be put at all. Several questions of the same character have already been put, to which I did not object, in our endeavor to have a full explanation, but fault was found with the answers, that they were not full enough. I submit that this is a question which it is very difficult for a witness to answer at one time.

Mr. THOMPSON. I should like the hon. member for St. John (Mr. Weldon) to explain the urgency of the question, which requires the person at the Bar to state the nature of the conversation he had with Mr. Currey about Mr. King.

Mr. WELDON (St. John). I might pursue the matter by first asking with respect to Mr. Currey, in order to show that Mr. Currey was not only the election agent, but was the law adviser of Mr. Baird at the election.

Mr. THOMPSON. Assuming that to be so, what have we to do with the opinion the witness expressed to Mr. Currey about Mr. King?

Mr. WELDON (St. John). In this way: If we show that he had a conversation with Mr. Currey as to his objections to Mr. King—

Mr. McCARTHY. Why not ask him directly?

Mr. THOMPSON. This is not merely a general question, but the witness is asked to state all the conversations he has had with Mr. Currey in regard to Mr. King.

Mr. WELDON (St. John). It is relative to the objection to Mr. King.

Motion agreed to.

Mr. DUNN. I know L. A. Currey. I believe he is a lawyer, and he resides in St. John. On the night previous to the election he walked out to the road with me when I was taking my usual walk, and told me he was going to object the next day—or he was talking about it; but I had no correspondence with him touching the objection to the candidature of Mr. King.

Mr. BURDETT. I move that the following question be put: "Who were the candidates at the late election for Queen's county? Did you receive their nomination papers and accept their deposits and grant a poll; and did a poll take place, and what number of votes were given for each candidate, respectively?"

Mr. THOMPSON. The only objection I have to that question is, that all the information asked for formally appears in the report made by this witness himself. We have it there more accurately and more fully than he can possibly state it. On page 16 he makes a special report upon it, and describes the deposit of the papers with him, the way in which the deposit of money was made, and the fact of holding the election, and subsequently the ballot papers were produced, and we ascertained how the majority of votes stood.

Mr. WELDON (St. John). I think he does not state the summing up of the votes—what the number of votes were.

Mr. BURDETT. Neither does he state that the return brought down in this report is a correct return. He says he believes it is, but I do not go much on this gentleman's belief. I want the facts. He says he believes that the return in the Votes and Proceedings is correct, but we may be led to the conclusion hereafter that it is not correct; and if he gives a plain answer to that question it can go in *Hansard* and in the Votes and Proceedings of this House, and then we will know just who were the candidates, whether they paid their deposits, whether they had a poll, and how many votes each received.

Mr. THOMPSON. The hon. gentleman says he does not want anybody's belief, and yet, in preference to the