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constituency and the public. He thought it ill became hon. gentlemen opposite to object to a new member, coming into the House under the circumstances which the member for Muskoka came there, saying anything on a subject so deeply interesting to his much wronged constituency and himself, and afterwards to his hon. friend from Lotbinière for expressing his opinion on the case. The House had twice solemnly unanimously declared the Returning Officer ought to have taken the course which the hon. member for Cardwell (Hon. Mr. Cameron) said he dared not have taken. They could all understand that a great deal depended upon the way in which the facts were presented and that the opinion of a Counsel would be valuable or valueless according to whether it was given on a true or a false statement of the facts, and that they would not take their case to be decided upon a statement of facts presented by their adversary. The present motion was founded upon that proposition.

The Government had taken upon itself the nomination of the returning officers. The electors had no safe-guard in the liability of the Returning Officer to be sued for damages when that officer could not pay his own expenses from Muskoka to Ottawa, and there was no guarantee for the social standing of the official when there was an unlimited choice of returning officers and when that choice, as exercised by the Government of the day, so infrequently gave the Ministerial candidate the power of nominating the returning officer for his county.

He alleged that during the recent election campaign the Ministers gave to their own supporters the power of nominating the men to act as returning officers and judge between themselves and their opponents. When that was the state of things, when a man who had taken part actively as a canvasser and speaker at two public meetings on behalf of the Government candidate, was appointed, when he was guided and led by Mr. Gow, Reeve of his township, who was an active canvasser for Mr. Boulton also, when he sent by this Mr. Gow for legal advice as to his duty, Mr. Gow being accompanied by Mr. Boulton and introduced by him to Mr. Read, who was certainly a gentleman of standing and reputation at the bar, when Mr. Read's opinion was addressed to Mr. D'Arcy Boulton, when that opinion could not have been given upon a full statement of facts, it was a little too much to say that remarks should not be made in this House in justification of this motion.

If the Opposition has erred, they had erred in asking the House to express its disapprobation in the present; but they only asked to say that in the future returning officers should not obtain legal advice through the intervention of one of the candidates. (*Cheers.*)

Hon. Sir JOHN A. MACDONALD said whatever ought to be said as to the appointment of returning officers by the Government being right or wrong, it was the law of the land and the Government was responsible for the exercise of the power conferred on them, and he would venture to say that the appointment of the officer lately at the bar was one that reflected no discredit on the Government. He would ask the gentleman on both sides whether

that officer had not shown himself, as far as intellect and capacity were concerned, well fitted for the performance of his duties, and if this was so it only remained to see whether he was a man of such honesty of purpose as warranted the Government in appointing him.

He thought his statements at the bar ample evidence of the good faith and good conduct of the Returning Officer. He had vindicated his conduct strongly and distinctly, and from his evidence nothing could be drawn showing the slightest dereliction of duty. It was a very moot point as to what course the Returning Officer should have taken. It had been charged that he had not submitted a candid statement to Mr. Read, but in point of fact there was but a single point submitted, and on that point the whole case stood, and that was whether he should take the evidence of the deputy returning officer as legal proof of the contents of the lost poll book. He had consented to the resolution declaring the course of the officer to be illegal, because that was a necessary consequence of the previous decision of the House that the present member should take his seat, but if no such decision had been given he would not have been prepared to consent to the resolution.

Hon. gentlemen had spoken of the injustice to this much wronged constituency, but it was yet to be seen whether the constituency was not at present much wronged by the presence in the House of the sitting member. He maintained that the Returning Officer was open to no censure for he could have done nothing more than he had done. A poll book was lost, and a legal question arose as to whether he could act on the evidence of the deputy, and what he did was to go to Mr. Gow, a respectable man, a man of standing, the Reeve of his township.

Mr. COCKBURN (Muskoka): Hear, hear.

Hon. Sir JOHN A. MACDONALD: I hear the member for Muskoka says, hear, hear, but Mr. Gow was elected and chosen by the very people represented by that hon. member, and very likely long after that gentleman ceases to sit for Muskoka, Mr. Gow will continue to be reeve of his township. (*Cheers.*) Mr. Bell went to Mr. Gow, and it is objected that Mr. Gow was a supporter of Mr. Boulton, but they were all supporters of one of his candidates, and it is expected that he would go to a friend of Mr. Cockburn's and asked Mr. Gow to ask advice from Mr. Harrison! That gentleman being away from Toronto, Mr. Gow went to Mr. Boulton, who introduced him to Mr. Read, a man of undisputed honour, undisputed rank in his profession, and a man standing above all suspicion. The only thing in the whole transaction that could be objected to was that the note from Mr. Read was addressed to Mr. Boulton. But surely the Returning Officer did not deserve censure on that account.

He could not consent to any censure on the Returning Officer. So far as the facts had yet appeared before the House, there could be no censure on him, and there was none. He agreed with the motion before the House, because there was no question that the practice of obtaining legal advice through a candidate was objectionable.