

Should we interfere? There are many reasons why we should interfere. First, the error is a public one; it is a public wrong, and it is a clear one; and the injustice is gross, is manifest. In the second place, if we do not act—and here I draw specially the attention of the hon. the Minister of Justice—if the Parliament does not act now, there will be no remedy. In the first place the time for contestation is over. That is admitted, I think. Everybody admits that the thirty days are over. But we are told there is the ballot to be recounted. Did I understand well that the ballot is still to be recounted? Did I understand the Minister of Justice aright; is that what he said, that the counting of the ballot is not over?

Mr. THOMPSON. I said it had been given in evidence at our bar that Mr. King was still pursuing in the courts of New Brunswick his remedies in relation to the recount and in relation to the prohibition.

Mr. AMYOT. So the ballot is not over. If the ballot is not over the election is not over, and what right has Mr. Baird to come here, and to have been here a moment ago addressing us? If the ballot is not over—

Mr. THOMPSON. Will the hon. gentleman allow me to put a question to him? If the election is not over, what right has Mr. King to be seated?—and he is pursuing his remedy.

Mr. AMYOT. If the ballot is not over it is no more over for Mr. Baird than it is for Mr. King. The effect must be the same for both.

Mr. MITCHELL. If my hon. friend will allow me, I may say in reply to the Minister of Justice that the motion does not ask to seat Mr. King.

Mr. THOMPSON. Yes, it does.

Mr. MITCHELL. The amendment to the amendment asks that the returning officer be called to the Bar of the House to amend his return.

Mr. THOMPSON. What right is there to ask him to do that if the election is not over?

Mr. MITCHELL. There is a perfect right.

Mr. AMYOT. There is no use in trying to put a shade before our eyes on such a question. When we, the representatives of the nation, have to discuss and decide, we must take the facts sincerely as they are. I am sure that the honesty of the Minister of Justice will be struck by that reasoning—if the ballot is not over, the election is not over, and the Government should never have allowed Mr. Baird to come into this House and address the Assembly; if the ballot is over, that is, if the recount is no more possible, there is no other remedy than by this Parliament; and if such be the case, the Government, if they go on with their motion, will take the responsibility of having here for five years a member who is elected by the minority; they will, in the eyes of history, pass for men using their majority to increase the same, and to diminish the minority in the House, and to take away the rights of the majority in the county of Queen's. This is the position, and I am sure that the hon. members of this House will understand it as I do myself, and will find that what we are doing now is this: We are trying, by subtleties of the law, to take away the right of a man, to take away the right of the majority of a county, to take away the right of a minority of this Parliament—by subtleties of the law, by all sorts of precedents which you cannot apply to the present law, which is new, we are trying to take away the rights which I described a moment ago. A member, the other day, pretended that the witness, or the accused—call him as you like—wanted a lawyer. Well, I think there are lawyers enough in this House already. All the strength that the use of the law, that the study of the law may give to cover an injustice

seems to be employed in the present case. For my part—I do not speak now as a lawyer—I do not undertake to follow these precedents, but I say this: Justice is justice everywhere, and is the best safeguard of the liberty of any people. I say to those who are laymen: Take care, gentlemen, what we are doing now is this: We are going to try and cover injustice under the pretext and veil of law. That is the short and the long of it. There is a man who has received a majority of votes. He should be here; he has a right to be here; his county has a right to see him here. But the majority in this House take upon itself to say: No; we, the majority, acting by party spirit, will cover up this injustice which is so manifest, and we will give the seat to the minority candidate. That is what they are trying to do. But I am sure the Parliament of Canada respects itself too much for that; I am sure the Parliament of Canada will say that the county which has elected Mr. King has a right to be represented here. Sir, on the 22nd of February last there was a man who was an officer of this House of Commons; he did what he should not have done. Well, let us do what he should have done, and let us put things in the position where they should have been put on the 22nd of February, and after that let the parties seek their respective rights in the courts. You propose to say to Mr. King: Go to the courts. By what right can we say to Mr. King: Find a thousand dollars, look after a lawyer, go to the court 50 or 100 times, endure all the anxiety of a lawsuit, carry your case to appeal, fight for three or four years, perhaps, and after that you will perhaps have your rights. Sir, he has the majority, and he has the right to sit in this House, and to wait until he is attacked. Let Mr. Baird look out for his \$1,000, and bear the trouble and expense of a trial. In the name of law, in the name of common sense, in the name of justice, in the name of the dignity of this Parliament, we ought to do here what the returning officer should have done on the 22nd of February; and we should say to Mr. Baird: Carry your case to the courts; and to Mr. King: You have the majority, come and sit with us.

Mr. ELLIS. I desire to say a word or two about some remarks made by the hon. gentleman who sits for Queen's. I do not propose to take up the personal questions with regard to myself to which he referred. I desire, however, to point out to the House that Mr. Baird declares that he went into the county of Queen's and found arrayed against him, as it were, Mr. Justice Steadman, the revising barrister, Sheriff Butler and Mr. Babbitt, the registrar of the county. He found that all these were men in whom he could put no confidence whatever. Now, if these remarks made any impression upon the mind of the House, I would like to call attention to the fact that Mr. Justice Steadman, the county judge and the revising barrister, was appointed to first office by the Government of the present First Minister, quite a number of years ago. Mr. Butler, the sheriff of the county, was appointed by a Local Conservative Government in sympathy with the Government of the right hon. gentleman; and Mr. Babbitt, the registrar of the county, and who was, I presume, the clerk of the revising barrister, was also appointed to the position he holds by a Conservative Government. I am sure that these men are considered by all who know them, to be men of character and men of probity. There is no question, whatever, that Mr. Butler, the sheriff of the county, a man who has filled that office for ten or twelve years, can be trusted anywhere. He is not a partisan. I really did not know, until I saw it stated during the discussion that has arisen on this matter in New Brunswick, that Mr. Butler was a Liberal. With regard to myself, the sitting member for Queen's made what he supposed a very strong point against me: that I had published in a newspaper in the city of St. John, some remarks about him in