

of a Judge declaring the seat vacant. In the case of O'DONOVAN ROSSA, a motion was made for the issue of a new writ, although that took place after the passage of the Controverted Elections Act.

Hon. Mr. FOURNIER said that in the absence of any enactment depriving the House entirely of control over the issue of writs, the House retained that control, except in the cases specially excepted, and this case was not one of them.

Sir JOHN A. MACDONALD agreed with that view, and said he would vote for the motion. He wished, however, it to be understood — and his declaration would appear in *Hansard* — that he did not agree with that portion of the resolution which stated that RIEL had been adjudged an outlaw, because he did not believe there was any evidence before the House establishing that he was an outlaw. Still he would vote for the motion because the seat ought to be filled.

Hon. Mr. MITCHELL said he had voted for the amendment of the hon. member for Cardwell because he was under the impression that the proceedings submitted to the House did not satisfactorily establish the fact that LOUIS RIEL was legally adjudged an outlaw. The House, however, had declared that LOUIS RIEL was an outlaw, and therefore he was bound, having voted for his expulsion, to vote for the issue of a new writ.

Hon. Mr. BLAKE said the House had not declared LOUIS RIEL an outlaw; the House had declared that LOUIS RIEL had been adjudged an outlaw. The right hon. member for Kingston had stated he would vote for the issue of a new writ, and yet he held that RIEL had not been adjudged an outlaw. Now if RIEL was not adjudged an outlaw the seat was not vacant, because RIEL had not been expelled. He (Mr. BLAKE) would leave it to the hon. gentleman to reconcile the two positions either in *Hansard* or elsewhere.

Hon. J. H. CAMERON observed that having placed upon the records of the House their opinion that RIEL was not an outlaw and that he should be expelled, and the House having declared that he was an outlaw, there could now be no inconsistency in his hon. friend from Kingston, and those who voted with him in voting that a new writ be issued; they would vote for a new writ because they had

voted that RIEL should be expelled, and the seat should not remain vacant.

Hon. Mr. MACKENZIE wished to point out the illogical position of the hon. gentleman opposite. He had taken the strongest ground against anything being done that might appear illegal, but now he declared that a new writ should be issued though RIEL had not been expelled.

Hon. J. H. CAMERON—I declare he is expelled.

Hon. Mr. MACKENZIE—The hon. gentleman had voted that RIEL had not been adjudged an outlaw; certainly he was not expelled; and yet the hon. gentleman holding that he was not an outlaw was ready to vote for the issue of a new writ before RIEL was expelled, and therefore according to his view before the seat was vacant.

Sir JOHN A. MACDONALD said he and others had stated at the outset that although the record before the House was insufficient to establish the fact of outlawry it was quite sufficient to establish the fact of LOUIS RIEL being a fugitive from justice, and therefore he voted now as he voted last year consistently; but the hon. gentleman opposite did not vote consistently.

Hon. Mr. CAUCHON—That is not the question before the House. The hon. gentleman may vote consistently, but he cannot vote logically.

The House then divided on the motion which was carried on the following division:—

YEAS:

Messieurs

Appleby,	Landerkin,
Archibald,	Langlois,
Borron,	Little,
Bechard,	Macdonald (<i>Cornwall</i>),
Bernier,	Macdonald (<i>Glengarry</i>),
Bertram,	Macdonald (<i>Kingston</i>),
Biggar,	Macdougall (<i>Elyin</i>),
Blain,	MacKay (<i>Cape Breton</i>),
Blake,	Mackenzie (<i>Laubton</i>),
Borden,	Mackenzie (<i>Montreal</i>),
Bourassa,	MacLennan,
Bowell,	MacMillan,
Bowman,	McCallum,
Boyer,	McCraney,
Brouse,	McDougall (<i>Renfrew</i>),
Bunster,	McGregor,
Burpee (<i>St. John</i>),	McIntyre,
Burpee (<i>Sunbury</i>),	McKay (<i>Colchester</i>),
Cameron (<i>Cardwell</i>),	McQuade,
Cameron (<i>Ontario</i>),	Metcalf,
Campbell,	Mills,
Carmichael,	Mitchell.

Hon. Mr. Mackenzie.