

said with respect to these same elections. Here are the words :

"Unless a sum of \$200 is deposited in the hands of the returning officer at the time the nomination paper is filed with him, the nomination paper shall not be valid."

And it goes on to say :

"The receipt of the returning officer shall in every case be sufficient evidence of the production of the nomination paper, of the consent of the candidate, and of the payment herein mentioned."

It appears to me that if it be possible for words to have a clear meaning, it is evident that that section was drawn and intended to avoid just such petty mistakes, just such quibbles, and just such evasions as that by virtue of which my friend Mr. King is, I trust, only temporarily unseated. I do not think this is a matter which requires the subtlety of forty legal minds to decide. The facts are as clear as noon-day. Every man here knows that a great wrong has been committed; every man in this House, and every man out of the House, and the public press, to do them justice on both sides—supporters of the hon. gentleman as well as supporters of ours—have admitted that a great outrage has been committed in attempting to seat Mr. Baird in place of Mr. King. Why, they know perfectly well that the returning officer estopped himself, if ever a man was estopped in this world, by his own repeated acts from disputing the correctness of the deposit. Did not the returning officer, according to the papers which have been laid on the Table of this House, proclaim a poll; did he not give notice to all the inhabitants, or to all the electors of the county of Queen's, was not that poll held, and was it not weeks after this irregularity, so called, occurred that the returning officer attempted to go back on his own judgment? I will only say this. I do not believe that a large number of the hon. gentleman's supporters entertain the slightest difference of opinion from that which has been expressed on this side of the House, that a gross wrong has been done to Mr. King, and that the House ought to right it at once; and I do not believe that, if the position had been reversed, if any returning officer in this Dominion had been found, or had been insane enough to attempt to unseat a supporter of the hon. gentleman on this ground or any similar ground, that scarcely twenty-four hours would have elapsed after you, Mr. Speaker, were in the chair before that returning officer would have been brought to the bar of the House and this writ amended; and I do hope, in spite of all that has come and gone, that there will be enough members found in this new Parliament, on this important occasion, when we are called to act for the rights of the people and for our own rights, enough members found even among the hon. gentleman's supporters, to show that they would have done a wise and prudent thing, as well as a generous thing, in consenting to reverse this decision in the manner proposed, and in allowing the man who, according to the evidence which has been laid on our own Table, is unmistakably the choice of the people to take his seat, and allow Mr. Baird to take his remedy in the courts of law. If there be any difficulty, or any supposed difficulty, as has been stated by two or three gentlemen, as to Mr. Baird having the power to contest the seat afterwards, I am sure that both sides will be only too glad to give Mr. Baird that opportunity, if that is all that is standing in the hon. gentleman's way. Then there is another consideration. Who was the returning officer? The hon. Minister who spoke last was good enough to give him a certificate of character. I know nothing about him personally, but I do know that the returning officer who perpetrated this wrong was the last man who should have been placed in that position by any Government. He was the trusted agent of the Government; he was the secretary of the Conservative Association in that county; and no Minister and no Government which had any self-respect should have committed the out-

rageous indecency of appointing the secretary of the Conservative Association, the chief wire-puller against Mr. King, to a position in which he could sit in judgment on that unfortunate candidate.

Mr. McDONALD (Victoria). The gentlemen on the other side of the House have addressed themselves largely to the merits of the case, while the members on this side are contending for a principle which hon. gentlemen opposite seem to forget. I do not know that the rights of Mr. Baird, or the rights of Mr. King, or the rights of the county of Queen's are at stake here, but the question is the rights of the Province of New Brunswick and of the whole Dominion. I do not see the difference between trying to put one candidate in the place of a member elected, upon the ground of his having a larger number of votes, and upon any other ground which would void the election. The hon. gentleman who has last addressed the House says there is no precedent for the return of a candidate having a minority of the votes. In 1875 an election took place in the county of Victoria, which I have the honor to represent, when the Government of which the hon. gentleman was a member, was in power. That Government passed over the sheriff of the county, who was one of the two officers to be appointed to that position, and offered the position of returning officer to another, who refused. The sheriff of the county was never asked to accept the office, and the excuse the Government gave was that he was engaged in a local election and could not attend to the duties. Since that time, in 1878 and in 1883, the Local elections and the Dominion elections were held simultaneously, and the sheriff performed both duties without any disadvantage and without any protest being made by anyone. The appointment was offered to the registrar of deeds, and for various reasons he refused, the chief reason being that the sheriff had been passed over. A brother-in-law of one of the candidates, who at that time was running in the interests of the Government, was appointed. Now, I think, to any fair-minded person, it would be preferable to appoint a partisan to a judicial position than to have a brother-in-law of one of the candidates presiding over the elections. Well, a petition was presented to this House, the copy of which I hold in my hand. It is signed by sixteen Liberal justices of the peace in that county, and an M. P. supporting the Liberal Administration in the Province of Nova Scotia, and largely in sympathy with the Liberal party in Ottawa. I find the statement of facts contained in these petitions to be that the returning officer refused to count the ballots in one section of the county. The only excuse he gave was that in a box the deputy returning officer had not made a statement of the number of votes. On declaration day this was discovered, and the deputy returning officer was present and handed him a declaration under his hand of the number of votes polled for each candidate, and offered further to attest under oath before the returning officer that the statement was correct. This was rejected, and by throwing out the votes polled in that district, the party who actually was in the minority was returned to this House and sat in this Parliament for one year. Now, I have never yet to this day heard it stated that that returning officer did this to favor one party more than another. I believe that he did it, thinking that he had no right to take any statement which was not contained in the box. That petition was up here complaining of the action of the returning officer, and these facts which I have stated are all contained in the petition. The petition states that all the ballots being counted, the candidate who was not returned, received thirty-six majority over the one returned. Now, I find the leader of the Opposition of to-day who was then a member of the Government, presented this petition, and in presenting it he said that so long as this House had