

took place in that election were so glaring that the party to which I belong could not tolerate them without an endeavour to have the law vindicated. Among those that were proceeded against was this very man Matheson, whom the Postmaster General appointed to succeed Mr. Ferguson. I will read the writ that was issued in the Supreme Court and served upon Matheson, and out of which grew the suit that was tried before Mr. Justice Henry, the judgment of which case I asked for in this return :

1894—A No. 113.

In the Supreme Court.

Between John Morrison, plaintiff, and Daniel K. Matheson, defendant.

Victoria, by the Grace of God, &c.

We command you that within ten days after the service of this writ on you, inclusive of the day of such service, you do come and appear and be entered for you in an action at the suit of John Morrison, and take notice that in default of your so doing the plaintiff may proceed therein and judgment may be given in your absence.

Issued at Arichat the 6th day of August, 1894.

N.B.—This writ is to be served within twelve calendar months from the date thereof, or if renewed, within six calendar months from the date of the last renewal, including the days of such date and not afterwards. The defendant may appear hereto by entering an appearance either personally or by solicitor at the prothonotary's office at Arichat, in the county of Richmond.

The plaintiff's claim is :

(1) That the defendant is indebted to him in the sum of \$400, being the forfeiture provided in and by section 68 of chapter 5 of the Revised Statutes of Nova Scotia, 5th Series, for the offence of bribery, which offence the said defendant was guilty of between the 15th day of February, 1894, and the 15th day of March, 1894, within the said county of Richmond, wherein the said defendant hath acted contrary to the provisions of said chapter 5 of the Revised Statutes of Nova Scotia, 5th Series, in connection with the election of a member for the House of Assembly for the said county of Richmond, holden on the 15th day of March, 1894.

(2) That the defendant is indebted to him in the sum of \$100, being the forfeiture provided in and by section 66 of chapter 5 of the Revised Statutes of Nova Scotia, 5th Series, for hiring and paying for horses, teams and carriages, cabs, and other vehicles for Joseph Matheson and one Simon Joyce, candidates at the said election, for the purpose of carrying a voter or voters to or from the polling places—which offence the said defendant was guilty of between the 15th day of February, 1894, and the 15th day of March, 1894, within the said county of Richmond, wherein the said defendant hath acted contrary to the provisions of said chapter 5 in connection with the said election.

That writ was served by the sheriff of the county of Richmond and was endorsed thereon as follows :—

This writ was served at L'Ardoise on the defendant, Daniel K. Matheson, on the 10th day of August, 1894.

Endorsed, 11th day of August, 1894.

Fees : Record, 10 cents ; travel, \$3.40 ; service, \$1 ; total, \$4.50.

This case, as I said, was tried out before Mr. Justice Henry at Arichat, and Matheson was found guilty of corrupt practices as alleged in this writ of summons, and was subjected to a penalty of \$400 and \$100 costs, and was also disfranchised for five years. I will read to the House a copy of the judgment that is now entered in the Supreme Court at Arichat, as follows :—

In the Supreme Court, 1894, A No. 113.

Between John Morrison, plaintiff, and Daniel K. Matheson, defendant.

This action coming on for trial on the 6th day of June, 1895, and this day in the presence of counsel for the plaintiff and defendant, upon hearing the evidence of Urgel Burkey and Charles Burkey, Martin Campbell, Wallace Preyent, John Campbell, D. K. Matheson, the defendant, and James Potty, taken on the oral examination and what was alleged by counsel on both sides, the said cause having been tried before the Hon. Mr. Justice Henry, at Arichat, in the county of Richmond, and the said judge having ordered that judgment be entered for the plaintiff for the sum of \$400 and costs. It is this day ordered and adjudged that the plaintiff recover from the defendant the sum of \$400 and costs to be taxed.

The costs, as I said, were over \$100. Now, Mr. Chairman, that is a full record of the proceedings against this man D. K. Matheson, whom the Postmaster General appointed on the recommendation of some one, I presume, residing at Lower L'Ardoise. Now, I refer the Postmaster General to our Act upon controverted elections, under which this man was prosecuted, 51st section, chapter 5 :

Any person other than a candidate found guilty of any corrupt practice in any proceeding in which after notice of the charge has had an opportunity of being heard, shall during the five years next after the time at which he is so found guilty, be incapable of being elected to and of sitting in the House of Assembly, and of voting at any election and of holding any office at the nomination of a lieutenant-governor or any municipal office, or of being appointed or acting as a justice of the peace.

I do not bring this matter up in any factious spirit. I only want to know from the Postmaster General now how he came to dismiss Mr. Roderick Ferguson from the post office at Lower L'Ardoise, and appoint in his place a man who was fined \$400 for corrupt acts in a recent election in the county, a man who is incapable of being elected to or sitting in the House of Assembly, a man that cannot vote at any election for any candidate, and a man that cannot hold any office at the nomination of the Lieutenant-Governor, a man that cannot hold any municipal office, and cannot be appointed justice of the peace. I think it is only fair to the district in which that young man is who was appointed postmaster and who labours under all these disqualifications, that the Postmaster General should state the reasons for the change. I repeat,