

RIEL was a fugitive from justice—stronger evidence than that upon which the House expelled him last session.

Sir JOHN A. MACDONALD said he quite agreed with the conclusion of the Minister of Justice, namely, that there was sufficient evidence before the House on which to expel LOUIS RIEL. At the same time he held that the member for Cardwell had conclusively established that these papers establishing outlawry were mere waste paper. He was inclined to believe that it was almost impossible on this continent without a new law to place any of HER MAJESTY'S subjects in the position of an outlaw. We had not the requisite machinery. The process of outlawry was only to be obtained by virtue of the importation of the English law, and the law relating to outlawry was so utterly inapplicable to the organization of our courts that he did not believe a valid judgment of outlawry could be obtained against any person for any crime. The Minister of Justice had held that the House ought not to go behind the sentence, but the objection taken was due to the jurisdiction in the beginning. If the court had no jurisdiction in the matter the House was bound to know it. Supposing that the court for the trial of small causes in Quebec issued a decree of outlawry against a man who was elected a member of this House, would this House be bound to act upon that decree and expel the man so sentenced? Or supposing the Court of Chancery undertook to act in criminal matters this House would be bound to say that that court had gone beyond its jurisdiction. He held that the seat was not void, that it was absolutely necessary to expel LOUIS RIEL, because until he was expelled he had the same right to take his seat in the House as any other member had. He agreed with the Minister of Justice that the record before the House was sufficient to establish that RIEL was a fugitive from Justice and that the same cause of expulsion existed now as existed last session. He would vote for expulsion, but he did not think the seat was void by this sentence of outlawry.

Mr. MILLS said it appeared to him that the line of argument pursued by the hon. member for Kingston and the hon. member for Cardwell was the strongest possible evidence the House could have of

the impropriety of the course they had recommended. Those hon. members had discussed the question precisely as if the House was a Court of Appeal for the consideration of the legality of the judgment of outlawry which had been pronounced, a copy of which had been laid on the table of the House. Now, they were not called upon, as the hon. member for Cardwell had said, to declare that RIEL was an outlaw: there had been no such proposition submitted to the House. They were called upon to declare that RIEL had been adjudged an outlaw, and evidence of his having been so adjudged had been laid on the table of the House. If they followed English precedent, he thought it would be found that there were two cases in which Parliamentary law had recognised a right in the Commons to enquire into a judgment of the court, viz.; when the court was charged with either corruption or incompetency. It was only when a Judge was attacked that the House of Commons had any right to enquire into a judgment. Here, however, there was no charge made against the Judge—he was not impeached or proceeded against. That being the case the House had no right to review his judgment, to enquire whether it was valid or invalid, or whether it was one which, if taken before the court on writ of error, it might be well for the court to reverse. He would not enquire whether the court was a proper court to pronounce the judgment of outlawry; he did not think the House was competent to deal with the matter. The highest court of Manitoba had assumed it had jurisdiction, and he did not think the House was competent to say by its voice or vote that the highest court of that province had erred. The case of Lord COCHRANE afforded the strongest possible evidence of the impropriety of the course suggested by the member for Cardwell and the hon. member for Kingston. Lord COCHRANE was accused of making certain false representations, and improperly dealing with certain stocks, and was found guilty by the Court of Queen's Bench. He appeared in his place in the House of Commons, and when the motion was made for his expulsion; he contended that the judgment was an improper one, as he had been improperly joined with other parties, and that in consequence of that he was