

not acting for themselves, but for the public as the trustees of the public. I need not say that in any case of a purely private nature, the law always views with favor any compromise that may be entered into between parties for the settlement of their dispute; but that principle does not apply to cases in which the public are in any way interested. The law provides that in all cases in which the public are interested, no agreement shall take place between the parties, except openly, and in full sight of the Court. This is a principle of common law, and it is also specially provided for in the 54th section of the Controverted Elections Act, which reads as follows:—

"An election petition under this Act shall not be withdrawn without the leave of the Court or Judge (according as the petition is then before the Court, or before the Judge for trial) upon special application to be made in and at the prescribed manner, time and place.

"No such application shall be made until the prescribed notice has been given in the Electoral District to which the petition relates of the intention of the petitioner to make an application for the withdrawal of his petition.

"On the hearing of the application for withdrawal, any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the Court or Judge to be substituted as a petitioner for the petitioner so desirous of withdrawing the petition."

Now, there can be no doubt that if the petitioners had resolved to withdraw their petition, and not to prosecute any further the contestation they had entered into, they would have had a perfect right to do so. But, as I said, they were trustees for the electors of the county of Richelieu, and if they chose to abandon the trust they had taken upon themselves, they were bound to notify their principals, so that the electors of the country, if they chose, might go on with the case. As I have said, it was quite competent for them to abandon that position, but if they did so they were bound under the terms of the law to give notice to the public. If they had given notice to the public, if they had placed an announcement in any newspaper that upon such a day they would apply to be relieved from the position of petitioners in this case, then, as the petitioners now before the House say, they themselves would have come forward and would have asked to be substituted. Now, what were the means adopted of carrying out this agreement, of preventing the investigation made, and preventing at the same time the public from interfering, and any other elector from coming in and being substituted for the original petitioners? There was a mode adopted—I know nothing about it, except that the petitioners say this was the mode adopted—that is to say, resort was had to a mock trial. The proceedings under the law were a sham; witnesses were called who proved nothing of the charge brought against the hon. member, and the proceedings had the effect of confirming the hon. member in his seat. This is the charge brought under the petition; it is not an election petition as the hon. President of the Privy Council has stated. If the facts alleged in the petition be true that there has been a corrupt agreement entered into between the hon. member for Richelieu (Mr. Massue) and the petitioners; and if it be true that this corrupt agreement was made, as stated in the petition, for a money consideration, every one must agree that a great wrong has been committed against Mr. Ritter, and that judgment was obtained in a fraudulent manner; then it is the duty of Parliament to deal with the case in the same manner. I understand the hon. President of the Council objects to the reception of this petition; but if it is clear on the face of the petition that the grievances set forth were true; that some wrong has been committed—and this is a wrong in my humble judgment—the petition is entitled to the favorable consideration of the House. So far as I understand, a petition is always accepted by the House when it sets forth a grievance, though the House might come to the conclusion that it is not expedient to grant the remedy which is sought; and in my experience every petition that has been presented has always been received, except

MR. LAURIER.

where the prayer clashed with the law of the land or the rules of the House. If this petition, as the hon. President of the Council states, clashed with the law, it cannot be received; but if the petition sets forth a grievance for which there is no other adequate remedy contemplated in the law, then the petition should be received. What would be the remedy which the House could apply in this case I am not prepared to say at this moment. The hon. President of the Council objects to the petition because it is an election petition, that it is sought under it to re-try the county election of Richelieu, to prefer again the charges of corrupt practices which were brought against the hon. member for Richelieu (Mr. Massue). Nothing of the kind is intended or sought for, and if the hon. gentleman had carefully read the petition he would have seen that such was the case. I feel bound, as the hon. President of the Council has taken that line of argument, to read to the House extracts from the petition. The petition first sets out the election; then it goes on to say that the election was controverted:

"That on the 4th November, 1878, a petition was filed at the office of the Clerk of the Superior Court, at Sorel, the *chef lieu* of the District of Richelieu, by two duly qualified electors, namely: Jean Jacques J. Bruneau and Joseph Pottier, machinists, of the said Town of Sorel, in the said electoral district of Richelieu, contesting the election of the said Louis Huet Massue, for corrupt practice, both by himself and by his agents and praying that the said election should be declared void, and the said Louis Huet Massue disqualified in accordance with the law.

"That on the day fixed for the hearing, namely, the 24th November, 1879, the Court, then presided over by the Hon. Mr. Justice Gill, dismissed the two petitions for want of evidence, with costs against the petitioners in each case respectively.

"That your petitioners have since learned, and are in a position to prove, that the suit which took place on that day, in respect of the petition of the said Jean Jacques J. Bruneau and Joseph Pottier, against the said Louis Huet Massue, was not decided, after hearing both parties, in good faith as between the said petitioners and the said Louis Huet Massue; but that, on the contrary, the said suit was carried on by collusion and in bad faith between the said petitioners and the said Louis Huet Massue, with the view of preventing a hearing in respect of the corrupt practices with which the said Louis Huet Massue was charged, the voiding of his election and his personal disqualification.

"That your petitioners have since learned, and are in a position to prove, that on the day fixed for the hearing of the said petition, an arrangement existed between the said petitioners and the said Louis Huet Massue, by which it was agreed that the said petitioners would produce no witness, to the end that final judgment might be given dismissing the said petition, and that it was in consequence of that arrangement that no witness able to prove the allegations of the said petition against the said Louis Huet Massue was heard on behalf of the said petitioners, and that the said petition was dismissed.

"That to induce the said petitioners not to cause any witness to be heard who could prove the allegations of the said petition against the said Louis Huet Massue, the said Louis Huet Massue did then promise to pay, and has in fact since paid, both to the said petitioners and to various other persons, considerable sums amounting to several thousand dollars, wherein were included even the costs which the said petitioners were adjudged to pay by the judgment dismissing their said petition, and also all costs on both sides of the said petition of the said Louis Huet Massue against the said George Isidore Barthe his opponent.

"That no notice was ever given by the petitioners, or the said Louis Huet Massue, of their intention not to proceed to the proof of the facts alleged in the said petition.

"That if such notice had been given, your petitioners and other electors would at once have applied to the Court to be substituted for the said petitioners, and would have proceeded to prove the allegations of the said petition in as much as your petitioners truly believe that the said Louis Huet Massue was elected by means of corrupt practices by his agents and by himself personally.

"That the said Louis Huet Massue took his seat in your honorable House and sat there during the whole of the last Session and is now there sitting during the present Session; that nevertheless from the knowledge that they have of what occurred at the last election in the electoral district of Richelieu, your petitioners truly believe that the said Louis Huet Massue has no right to the seat occupied by him, and that the hearing of the said petition filed against him would have demonstrated the fact, and would have resulted in the voiding of the said election, and the disqualification of the said Louis Huet Massue.

"That the said Louis Huet Massue, by preventing and impeding, as he did do, the trying of the allegations of the said petition prepared against himself, thus obtaining from the Court the dismissal of the said petition, did in that way prevent the electors of the said electoral district of Richelieu from effectually contesting his election, and thus was enabled to continue to represent a constituency which he was not entitled to represent, and that by so doing, he did serious injury to the rights and liberties of the electors of the electoral district of Richelieu, as well as to the privileges and dignity of your honorable House;