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### The Canadian Lost.

LINDSAY, FRIDAY, MAY 13, 1887,

Special Correspondence of The Post. OTTAWA, May 2, 1887.

I.ast week was marked by the event of the session, the first division upon a straight party question in the houselof comthe government to 77 for the opposition. Allowing for the fact that Sir John Macdonald and Mr. Blake each represent two the conservatives that they would have a majority of from 10 to 15 in the house, and it cuts their majority down to shout onehelf what it was in the former parliament. less than one half, if the fact be allowed for that there are four men from the Northwest practically government nominess who were not in the last parliament. The interest in the vote was very marked, especially when it came to the turn of any of the "Bolters" to declare themselves. Per- creditably. Mr. Barron demonstrated that hapathe most notable feature of the division in this respect was the vote given by Mr. Bergeron in favor of the government. It is well known that Mr. Bergeron was the most outspoken in his denunciations of the government last session, and was an outont declared liberal during the election and won his seat as such, something which Would have been impossible had ne run on any other ticket. His going over to the covernment is, therefore, a great surprise o everybody, and there are many rumors in circulation concerning him, some declar ing that his attitude is assumed only tempor conservative and never intended to vote other than with the government. Of the other doubtful men, Cimon, Coursol, Gigsult, Dupont and Amyot voted with the opposition. This marks pretty well where these men will be found on all ordinary party questions. In Amyot, Dupont and Gigault the opposition secures the alliance of three powerful men. Gigault especially being one of the very finest debaters in the

THE QUEEN'S COUNTY ELECTION CASE. The debate upon which this division took place was that upon a resolution sett. ing forth the facts in the famous Queen's county election case in which the minority candidate (conservative) was declared elect ed by the returning officer upon a trumped up technicality and declaring in favor of giving the seat to Mr. King, the liberal candidate, who received a majority of 61 votes. The division itself was upon an amendment presented by the Hop. Mr. Thompson, minister of justice, in favor of referring the case to the committee on privileges and elections. The debate was simost laughable so far as the tory side of the argument was concerned. They could not close their eyes to the fact that the returning officer in accepting Mr. Ktag's deposit had decided upon the validity of that deposit, nor could they claim that even the highest judge in the land had a right to alter his own decision formally given. Nor was it in dispute that Mr. King actually did get a majority of votes, but the conser vative argument was all in favor of delay and of the house declaring that it had no power to deal with the matter. This led. of course, to the conclusion as stated by themselves, that the whole question should be left to the courts. But though they all argued in this line, they all voted in the line of the house dealing with the matter, line of the house dealing with the matter, because, even after the privileges and elections committee has had its say upon it there will still remain the main question for the house itself to deal with. In the meantime, of course, Mr. King suffers further lose and further annoyance, and the people must continue to be represented by a man whom they have definitely and decidedly declared is not their choice. On the other hand, the liberale argued the question from every standpoint showing that whether considered in the light of justice, of constitutional practice, of strict legal interpretation or established precedent the case was wholly in favor of the resolution to give Mr. King a seet. Mr. Patteress of Brant undoubtedly voiced the mentiment of the country when he declared that the people will regard this thing, not see a seminant of the country when he declared that the people will regard this thing, not see a seminant of the country when he declared

of the house and the rights of the people to be dependent upon a micerable quibble such as this. The most remarkable feature of the dehate, and decidedly startling after the monotonous flow of special pleading from the government concless, was the speech of Mr. Patterson of E-sex, a staunch and prominent conservative. Mr. Patterson deciared this an outrage greater than any other in the history of elections in Canada for thirty years, and unhesitatingly said he would vote to give Mr. King the sent. Mr. Patterson's manly speech created a profound impression, and was the sensation of the week. Mr. Baird, the minority candidate, had the grace to keep out of the way during the debate and to refrain from voting on the question. He will probably vote on other questions, however; swallowing the camel of the session's work while straining at the gnat of this particular question.

Mr. Jamieson of Renfrew, the gentleman who has magnificently failed hitherto in securing necessary amendments to the Scott act, has resumed operations this session. He brought in his annual bill of amendment, which has failed two or three times before, at a much earlier period this session than before, and were it not for the well-known determination of the government to allow no temperance legislation to pass, he would have a better opportunity of placing this measure upon the statute book. There is a very general and apparently well-grounded belief that the government has promised a wine and bear clause as a benefit to the brewer. Mr. Jamieson is undoubtedly honest in his effort toamend the Scott act, but it is not improbable that his bill will be taken advantage of to secure the amendment of the act in this direction. There are a number of men sitting on the tory side of the house, who represent bear and nothing else, and the brewers who have shown such strength before may be expected to demand that advantages which they had previously claimed shall be granted to them on this occasion. With such a strong opposition, however, largely made up of men favoring the continuance of the Scott act, it will be difficult to carry out its promise, if any was made, without making it a party question. It would be hard for the tory temperance representatives and the tory temperance voters to swallow a wine and beer amendment, but it may have to be done. Hon, David Mills made a ringing speech on this bill being introduced in favor of the government announcing its policy upon this important question of prohibitory legislation. The ministry have been playing possum with this question for a long time, but they will have to come down soon. pass, he would have a better opportunity of

partment of trade and commerce has de veloped, with other matters, into quite an mone. The result was a majority of 32 for extensive business of cabinet changes inthe government, the vote standing 100 for volving even a change of principle. While the ministry itself is to be reduced to twelve there are to be three under-secretaconstituencies, that the speaker does not vote, that one seat is vacant through the death of Mr. Moffat and one seat through the absence up to this time of Mr. Hudspeth since his second election, this shows an absence from the division list of twenty members. Of these the majority were paired and the others were about equally divided between the two sides. It may be taken as fairly well assured that the government will not have a larger majority than this on any other important question. This makes a rather poor showing for the boastings of the conservatives that they would have a larger and they would have a larger and the work of solicitor-general. The net result will be the creation of two new places for parliaments. This will give parliamentary deputy-heads for customs, intend revenue, and the work of solicitor-general. The net result will be the creation of two new places for parliaments. The will give parliamentary deputy-heads for customs, intend revenue, and the work of solicitor-general. The net result will be the creation of two new places for parliaments. The will give parliamentary deputy-heads for customs, intend revenue, and the work of solicitor-general. The net result will be two revenue, and the work of solicitor-general. The net result will be customs, intend revenue, and the work of solicitor-general. The net result will be the creation of two new places for ries receiving \$1,000 each less than cabinet be minist w of trade and commerce and that John Coetigan will be compelled to get out or take back seat as under-secretary for inland revenue. McCullum Morg.

> NORTH VICTORIA'S NEW MEMBER. The Ottawa Free Press says: Mr. J. A. Barron, the new member for North Viccommons last night on the Queen's county election case, and acquitted himself very theso-called legal technicality by which the returning officer for Queen's county sought to justify his conduct in returning a defeated candidate, was nothing more than a wretched quibble. The electors of North Victoria made an excellent exchange when they sent Mr. Hector Cameron back to his Toronto law office and elected Mr. Barron to represent them in parliament.

In his protest against the return of Mr. Montague for Haldimand, by the irregular action of the judge of the county, Mr. Colarily owing to special personal reasons ter is not met with a cross petition. This while o here say he had ocen throughout a is pretty good proof that Mr. Montague does not hope to retain control of the seat. But the evidence to be adduced at the trial is not confined to the action of Judge Upie not contined to the action of Judge Upper. It will take cognisance of many apparently corrupt practices that prevailed during the election, the number of charges being over a dozen. One of these is for personal bribery by Mr. Montague, and if it is made out the tory candidate will be disqualified for seven years. Some spicy revelations are expected, though it is reported that more than one of the tory agents have made arrangements to clear out have made arrangements to clear out rather than face the enquiry.

> THE O'DONOGHUE'S CASE. Mr. Barron learned by enquiry in the house that Mr. M. F. O'Donoghue (brother of the deceased W. B. O'Denogue, who was Riel's lieutenant in the first North-west rebellion) has during several months received pay at the rate of \$3 per day from the department of inland revenue. It is said by liberals that the O'Donoghue in ques-tion came last fall from California to press tion came last fall from California to press a claim against the government on account of lands owned by his late brother and has never worked in the department but was engaged to stump Ontario and Manitoba in the recent elections where he made himself complicuous. Mr. Barron purposes to pursue the subject further by means of a motion of which he has given notice.

CLAIMS FOR COMPENSATION -THE LATE W.

C. GILCERIST. [From Hansard, April 28.1 Mr. Barron asked whether it is the in tention of the government to compensate J. C. Gilchrist, esquire, of Woodville, father and legal representative of the late William Campbell Gilchrist, in his life time of Frog Lake, N.W.T., where he was killed by In. dians on the 2nd April, 1885, during the rebeilion, for the personal property of the deceased which was lost and destroyed as a

ceased which was lost and destroyed as a result of the insurrection?

Mr. Thoe. White (Cardwell)—It is not the intention of the government to compensate persons whose relatives were lost during the troubles in the North-west. So far as Mr. Gilchrist is concerned, I have had some correspondence with him and have secured at the public expense proper aspulture for the deceased. As to the latter past of the question. I presume a claim has been laid before the North-west commission, and whatever amount may be found to have

Mr. King for that of Mr. Baird in the reters of Queen's county, N.S., surface to the County of the

lic knowledge for 30 years. (Cheers.) This uity if it summons that man to appear at the bar of this house, and compel him to amend his return and give the seat to the man who got the majority of votes. It is patent to every man of common sense, who is ready to disregard legal quibbles, that when the returning officer accepted the \$200 and allowed the election to go on—and even to the declaration—he waived any petty technicality—if any existed. (Cheers.) He was only an executive officer and was not then acting in a judicial capacity, and having waived the technical objection—if it was an objection—it was out of his power to act in a judicial capacity on the day of declaration. For my part, I don't think this house should refer this matter to a committee, and I shall vote against it. (Loud cheers.)

Hon. Mr. Pope interrupted with a re-

(Loud cheers.)

Hon. Mr. Pope interrupted with a remark to the effect that he congratulated Mr. Patterson on getting the applause of his friends, the grits.

Mr. Patterson proceeding, said: I don't want the cheers of anybody. I only want to do what is right. I wish to give the government a fair and honorable support; they will get no more from me. (Cheers.) I think it is a dispreceful thing if the minority candidate can be given a seat; if ity candidate can be given a seat; if lawyere be working upon an ignorant re-turning officer can keep out of this house the man who has the majority of votes. On this common sense ground I am willing to submit myself to the opinion of my constisubmit myself to the opinion of my consti-tuents, but not to that of any person in this house. The people who sent me here sent me here as an independent member, and I resent any impertinent allusions to my actions in this house. I know that I am in accordance with the wishes of my constituents in voting against conduct of this kind, or any countenancing of such conduct on the part of the returning offi-cera.

THE QUEEN'S COUNTY OUT-

House of Commons—The Blegality of the Returning Officer's Conduct. [From Hansard.]

Mr. BARRON-I am well aware of the fact that it is not often wise for a young member to address the house, but as hon. gentlemen know youth is sometimes the season of enthusiasm and advanced age that of wisdom and discretion. This enthusiaers well in itself is well to applaud a righteous act as to resent an injustice justifies me to-night in rising on this question, because I think gross injustice has been perpetrated on the public and on a constituency in not having the gentleman sitting here to represent it who had the majority of votes. It has been stated by several hon. members, and I think that is the general opinion, that there has been too much law on this question. I agree with the opinion that by applying too much law to this case the public mind will seize the idea that it is a question of law altogether and not of justice. I think the public is anxious that the candidate who has the largest number of votes should sit in this house. Although I believe there has been too much of law given us, this house will pardon me if I take up a little of its time in answering some of the views advanced by hon, gentlemen opposite. The hon. member for Kent (Mr. Landry), whether knowingly or not, I am not prepared to say, tried to create the opinion that the \$200 deposited in some instances became elechon. members, and I think that is the gendeposited in some instances became election expenses. Now I controvert that statement. In no case does the \$200 ever become the election expenses of the candidate. It does become part of the election expenses not of the candidate, but of the returning officer. This is the section, and I think the hon member for Kent, if he had dealt fairly with the house, would have read the whole of it:

"The sum so paid and not returned—that is in the event of a defeated candidate not getting the molety of votes—as herein provided, shall be applied by the returning officer towards the payment of election expenses— The hon, member for Kent went so far but

him to the auditor-general of Canada."

Showing, I think, that the \$200 in the event of the candidate not getting the molety of votes does not go into the election expenses of the candidate, but into the election expenses of the crown and the public get the benefit of it. The hon. member for Picton (Mr. Tupper) referred to this section, and said it must have some importance because there was air ady a case involving the construction of this section going on in the lower provinces. Do we not find that there are cases going on all over the provinces involving the on all over the provinces involving the seats of hon, gentlemen in this house. I believe there is a case involving the seat of the member who has the honor of addressing the house now. I do not know the member who has the honor of addressing the house now. I do not know for what reason, except that they may desire to challenge my right as the champion baby-kisser in the province of Ontario. I do not think it is any reason, because there is a case going on involving the construction of that section, that we should attach so much importance to that section. The section has been read two or three times in this debate, but I will readitagain with the permission of the house, because I want to refer to one or two considerations in connection with it:

"No payment (except in respect to the permission)."

"No payment (except in respect to the personal expenses of a candidate), and no advance, loan or deposit shall be made by or in behalf of any candidate at any election, before or during or after such election on account of such election, otherwise than through an agent or

I think that is the whole pith of this case. It is contended, I believe, that the returning officer in this case had the right to return the minority candidate because the deposit was not made by the authorised agent. I say that, according to the statute, if anyone is to make the deposit it is the witness to the nomination paper. The statute says, in a preceding clause, that the nomination paper shall be handed in, and it goes on:

"The returning officer shall says on the recording clause, that

"The returning efficer shall require the person or one or more of the persons producing or filing any such nomination paper to make oath before them that he or they know that the several persons who have signed such nomination paper are electors duly entitled to vote."

paper are electors duly entitled to vote."

Se you see that the person who is to hand in the nomination paper is the witness to the paper itself, and the time at which it is handed in is the time to hand in the deposit. In no case can I find in the statute any reference whatever as to who is to pay in the money, and I think it is straining the law and doing violence to the constituence which Mr. Beird has come from to say that he is to sit here instead of the man who has the majority of votes, alongly because the deposit was not handed in by the agent. There is this also in reference to the matter. That particular section, section 118 of the revised statutes, imposes a penalty:

refer to the Mail newspaper of 7th March. It was discussing this case, and also referred to another case affecting the right to sit here of an hon, gentleman whom I am glad to see here. The Mail says:

"In both instances the moral, though there is not much comfort in it for either of the victima, is that none but men with an ordinary amount of common sense should be appointed as deputies. Meanwhile it may be said that the candidates who will accept an election by virtue of the errors of the officials are not to be envied." didates who will accept an election by virtue of the errors of the officials are not to be envied."

I think that if there is one spirit that eught to animate and does animate most of the members of this house it is a spirit of loyalty, and I ask hou, gentleman opposite if, in depriving that gantleman who has the majority of votes in this case of his seat, they are leyal to the people of this country? I do not think they see. I think the first thing necessary in the sentiment of loyalty is to be loyal, not to one individual but to the people, and I say that we are not truly loyal to the people of this country if we allow a gentleman to sit in this house who has a minority of the votes. I do not understand the argument that we ought not to take cognizance of this according to the motion which is in your hands, but that it should be referred to a committee of this house. I am not yet familiar with the procedure in this house, but I take it that the committee will report to this house afterwards and that then the house will take cognizance of it. If we cannot take cognizance of it now, how can we take cognizance of it then? I think the country at large will be better satisfied—I know my own constituency will be hetter country at large will be better satisfied—I kno wmy own constituency will be better antisfied—if we dispose of this case now. I can say for my opponents that, if similar circumstances had arisen in my constituency, the conservatives there would never have allowed the returning officer to return the minority candidate as in this case. I do that justice to my constituents and to the minority of them, because I know they possess a sense of honor which would prevent their taking such a course as has been followed in this case. I hope and believe that the country at large will not be in sympathy with us on this occasion if we do not vote for the motion of the bon. member for St. John (Mr. Skinner).

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BRITISH COMMANDER, brown, with three white feet, star, bred by R. D. B. Cunningham, Dumchrae, New Galloway, and imported August, 1883, by Robert Beith, Bowmanville, Ont., Sire General Neil, (1143) Vol. II., he by Doncaster (238,) he by Wellington, (906.) he by Surprise (846.) dam Esmeralda (730.) sire of dam, Prince of Renfrew (664.) he by Lofty 3rd (469.) he by Lofty 2nd (466.) he by Lofty 1st (455.) Prince of Renfrew (664.) sire of Esmeralda (730.) was awarded second prize at Highland Society's Show at Aberdeen in 1863. General Neil, the sire of British Commander, won third prize at Kilbura International Show of the Royal Agricultural Society of England in 1879. British Commander is decended both on the side of sire and dam, from the most noted Clydesdale families in Sectland, and if the old adage prove true, that "like begets like," he cannot fail being one of the best sires that has yet been in Canada.

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BRITISH COMMANDER is a beautiful dapple brown with superior action, stands on four sound feet, four good legs, great massive quarters. BRITISH COMMANDER is a beautiful dapple brown with superior action, stands on four sound feet, four good legs, sreat massive quarters, powerful muscle, with round middle, he is a very even horse of great quality, and is pronounced by the majority of good judges to be the best Clydeadale stallion in Canada. He has proved himself a very sure foal getter and his suck stands at the head of the list, their quality and appearance is a guarantee that no blood but pure Clydeadale courses through his veins. Farmers, let no doubt cross your mind in choosing between this horse and one you know not. British Commander is open to show against any Clydeadale horse in Canada, for stock, action, and all points of strength and endurance.

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