

## CITY OF LONDON CONTROVERTED ELECTION.

*Judgment delivered by His Lordship the Chief Justice of the Common Pleas, on 10th September, 1874.*

The evidence has disclosed an enormous amount of bribery and corruption in this constituency.

The number of votes polled for the Respondent were about 1,260, and there was direct proof of an expenditure of at least \$9,000 on his side, or an average of over seven dollars for each vote. To this sum may be added various small amounts admitted to have been spent by parties in the course of the canvass.

Apart from the question of responsibility on Respondent's part, I am strongly of opinion that there would be sufficient ground for declaring this Election void, as not being free, but tainted and avoided by wholesale corruption.

It was not attempted to deny the prevalence of bribery, but it was urged that it was committed by persons for whose act the Respondent was not responsible.

The Respondent did not nominate Committees, but Committees were formed in the different wards by his friends.

This was a General or Central Committee.

It is clear that Mr. *Dixon*, the Secretary of the Reform Association, and also Secretary of the Respondent's Committee, recognized the Ward Committees, and paid moneys to them for expenses of the Election, being moneys received from Respondent for that purpose; and the expenses of these Committees were matters of discussion between him and Respondent.

I think there is no doubt on the evidence, that many of the persons who admit having given money in bribing, were agents of Respondent, to the extent of making him responsible for their acts, even though such acts were without his knowledge, and even against his orders.

In Dr. *Hagarty's* case, he was a Committee man; three weeks canvassing; had a canvassing book received from *Dixon*. Some \$600 passed through his hands, mostly received from *Smallman* and *Reeves*, Respondent's partners and agents, as I will notice hereafter; received some money from *Dixon* for the Committee of Ward No. 4; paid large sums, such as \$120 for livery stable bills; used to see Respondent every day and talk to him as to how he was getting on, but did not speak to him as to the expenses. I have no doubt of this gentleman being an agent. He deposes to at least nine cases of direct bribery.

*H. C. Green* also admitted bribery, and would be considered an agent in my judgment. He was an active canvasser, paid rent for rooms, and was, I consider, well known to be working for Respondent.

*Frederick Fitzgerald* was active, and canvassing to Respondent's knowledge, and admits several acts of bribery.

*John Campbell*, a gentleman who has been Mayor of London, and seconded Respondent's nomination, was undoubtedly such an agent, and Respondent well knew he was working for him. He admitted several distinct acts of bribery, chiefly in giving money to the wives of voters.

*Joseph Broadbent* was also an agent in my judgment, and admitted the most distinct acts of bribery of voters.

*James Fitzgerald* was an active Committee man, and made returns to the Ward Committee. He was foreman to Mr. *John Campbell*, and admitted paying money to bribe a voter through his wife.

*John Doyle* was on No. 1 Committee; canvassed for Respondent, and spent \$91 of Committee money. He admits he offered bribes to several, but found they had been offered more before.

*Robert Henderson* was Chairman of No. 1 Committee; received \$700 for the Ward, and received a small sum \$50 or \$75 from *Dixon* for Ward expenses. He admits