

- (1) *Walbridge Cunningham*; (2) *John Knox* (of Lot 30 in 2nd Concession of the Township of Hamilton); (3) *Eber Byam* (of the Township of Hamilton); (4) *Alexander Fraser*.

I further certify that at the said trial upon the opening of the Court it was stated and admitted by the Counsel for the said *William Kerr* in the presence of the said *William Kerr* that corrupt practice was committed at the said Election by an Agent of the said *William Kerr* for whose acts in the premises he the said *William Kerr* was and is responsible, whereby his Election was and is void.

I further certify that it did not appear before me that corrupt practices have or that there is reason to believe that they have extensively prevailed at the said Election.

And I have determined and adjudged that the general costs charges and expenses of and incidental to the presentation of the said Petition and proceedings consequent thereon shall be paid by the said *William Kerr* he being the party opposing the said Petition; but that the said *William Kerr* is not to pay the increased costs occasioned by evidence and proceedings on the part of the Petitioners in order to prove that corrupt practices were committed at the said Election by or with the knowledge and consent of the said *William Kerr* and I do not adjudge that any costs be paid by the said Petitioners to the said *William Kerr*.

Dated the sixth day of October, A. D. 1874.

J. G. SPRAGGE,
C.

MONTREAL WEST CONTROVERTED ELECTION.

Election of a Member for the House of Commons for the Electoral District of Montreal West.

In the matter of the Petition of

ALEXANDER A. STEVENSON *et al*
AND
FREDERICK MACKENZIE,

Respondent.

To the Honorable the Speaker of the House of Commons, Dominion of Canada:

SIR,—1. I have the honor to inform you that I was appointed to try the Election Petition fyled against the return of *Frederick Mackenzie*, Esquire, a Member for the Electoral Division of Montreal West for the House of Commons.

2. The trial was held on the 20th, 21st and 22nd days of October last.

3. I do hereby certify that the Election of the said *Frederick Mackenzie* as such Member held on the 29th January last was void and I also append hereto a copy of the notes of the evidence given at said trial and a copy of my judgment as recorded in this matter.

4. I have the honor further to report that corrupt practice has not been proved to have been committed by or with the knowledge and consent of any candidate at said Election.

5. I further report that the following persons have been proved at the trial to have been guilty of corrupt practices at said Election:—*Moses Malone*, *William Russell*, and *Patrick Findlay*.

6. I cannot report whether corrupt practices extensively prevailed at the said Election inasmuch as the trial terminated after the examination of a few witnesses.

I have the honor to be, Sir,

Your obedt. servt.

F. W. TORRANCE,
J.

Canada,
Province of Quebec, }
Montreal Division. }

IN THE ELECTION COURT.

THE CONTROVERTED ELECTIONS ACT OF 1873.

Election of a Member for the House of Commons for the Electoral District of Montreal West.

The Twenty-second day of October, one thousand eight hundred and seventy-four.

PRESENT:

THE HONORABLE MR. JUSTICE TORRANCE.

ALEXANDER A. STEVENSON *et al*
Petitioners,

AND

FREDERICK MACKENZIE,

Respondent.

I, the undersigned Justice of the Superior Court for the Province of Quebec, having heard the parties and the witnesses of the Petitioners, having examined the procedure of record and the declaration and affidavit of the Respondent, *Frederick Mackenzie*, fyled this day, and having deliberated, do determine that