

second judgment went back and contradicted his first.

Mr. MULOCK. So it did.

Mr. TISDALE. The hon. member for West Lambton (Mr. Lister) read the statement in the first place that the judge said he had no jurisdiction in regard to that matter.

Mr. MULOCK. If you will permit me for a moment, I will say that on the 20th November, 1891, Judge Elliott held that he could not interfere with an amendment made by the revising officer, which amendment and adjournment of the court consequent upon it led this revising officer to try all these cases, and the result was that the revising officer disallowed the votes in question. On the 9th December, the judge decided that the revising officer was wrong in doing that, and restored these votes to the voters' list.

Mr. TISDALE. At the same time, on the 20th November, the judge decided that the notice was bad. As to procedure, he could not decide, but when it came before him by way of appeal, he held that the votes were bad, and he did the same thing the second time the question came before him. That is one point I want to emphasize, and the only point, because what the hon. gentleman asserted was not the fact, that Judge Elliott decided against himself. But it is a fact that the notice of appeal was decided to be bad on the first occasion, and on the second occasion he decided the same way. Now, I propose to look a little outside of the legal proposition, and try to find out the circumstances surrounding this whole matter. A great deal has been said outside of this House and something inside of this House, about a conspiracy between Judge Elliott and Mr. Carling to deprive London of its proper representative at the last election. Now, a more uncalled for, a more unjust, and a more impudent perversion of facts, never was made in this country nor in any other. I say the fact is just the contrary. I agree with them that there was a conspiracy to defraud London of its proper representation, a conspiracy conceived in iniquity and brought forth in sin, conceived by the political heelers and wire-pullers of Mr. Hyman and his machine in the city of London to deprive that city of its proper representation, and brought forth by an organized system of fraud, of force, of personation and corruption when the election came on, that has seldom been equalled in an election in this or any other country, and followed by a deliberate attempt to force a judge, against whom up to that time not a word had been whispered, to give a judgment that would suit them or destroy his character. Now, Mr. Speaker, these are strong words, but I think I will be able to justify them and to show that they are even weaker than the facts warrant. Now, in arriving at conclusions, the motives of men and the surrounding circumstances often throw a stronger light than the acts themselves. Let us look at the political history of the city of London. Go back to 1857. What has been its political history? From that time down to the present it has always been largely Conservative, and on a fair vote still is largely Conservative; and more than that, from that time down to the present, except during two sessions of Parliament, a Conservative member has always been returned, and with two exceptions, that constituency has returned the hon. Mr. Carling during 35 years.

Look at the record of the two parties during that time. Never during all that time has even a charge been made in court against Mr. Carling or the Conservative party that they ever attempted to carry the election by corrupt practices, their opponents never dared to file a protest. Now, what is the record of the Reform party, and how came they to hold the seat two sessions? In 1874 a gentleman named John Walker carried the city of London. He sat one session. There was a protest, and what happened then? I will read the judgment of the court, after the trial, to show what happened:

"That throughout the contest the agents of the respondent, acting on his behalf in promoting his election, were impressed with the strong conviction that in order to ensure the respondent's election it would be necessary to expend a very considerable sum of money bribing some voters to vote for respondent, and in bribing others not to vote for his opponent; and that the respondent himself was impressed with the same conviction. (2) That, influenced by the pressure of this conviction, dozens of those agents of the respondents did commit acts of bribery upon a very extensive scale, with the knowledge and consent of the respondent, for the purpose of promoting his election although the respondent may have been and very probably was, kept in ignorance of each single particular instance of such acts of bribery. That corruption should have prevailed and that bribery could have been committed upon the extensive scale, and in the open manner which the evidence discloses throughout the whole contest, and that the moneys with which this bribery and corruption were consummated should have been almost all disbursed at the respondent's own headquarters, and that he should have been constantly in and out of these headquarters and canvassing, as he says, throughout the city, night and day, and be ignorant that acts of bribery in his interest—acts from which he alone could derive any benefit—were being constantly committed by his agents, is to my mind utterly incredible. I do not seek for any reported case to support the principle upon which I proceed. It requires only the honest application of the common sense of a conscientious juror, to lead me to a conclusion upon the matter submitted to me in this case. I can readily believe it possible for the respondent to have been immersed in the lake and to be taken out dry, as that the acts of bribery which the evidence discloses to have been committed on his behalf, almost under his eyes, in his daily path, with means of corruption proceeding from his own headquarters, and from the hands of his confidential agents there, could have been committed otherwise than with his knowledge and consent."

He goes on then to disqualify Mr. Walker personally, and in another clause of the judgment, he finds no less than 19 parties that he names guilty of corrupt practices.—

"And further, that corrupt practices have extensively prevailed at the said election."

Now, it took the Liberal party 17 years to recover from that blow, and in 1891 Mr. Hyman was elected. He sat one session, and a protest was entered. What happened then? The hon. member for East Lambton (Mr. Moncrieff) the other day gave us some idea of what happened then; he gave us some of the reasons why Mr. Hyman was unseated. Take the history of the three meetings that he mentioned. We find that at one meeting called they consumed half a barrel of beer and a lot of crackers and cheese. At another meeting, where Mr. Hyman was present, a large uncovered basket was brought into the meeting containing several dozen bottles of ale. At another meeting, known as the coloured meeting, upon the very platform from which Mr. Hyman addressed the electors, there was a whole barrel of beer. Moreover at that very meeting a subscription list was passed around and gentlemen signed their names but put down no amounts, and Mr. Hyman made the remark, "I cannot have anything to do with that now, but