

(a.) That no corrupt practice was proved to have been committed by or with the knowledge and consent of either of the Candidates at the Election to which the Petition relates.

(b.) That no person in the said trial has been proved to have been guilty of any corrupt practice at such Election.

(c.) That I have not reason to believe that corrupt practices extensively prevailed at the said Election, but on the contrary I have reason to believe that they did not so prevail.

I think it my duty to make a special Report in relation to the proceedings had before me on the trial of this Election Petition.

The trial commenced on Wednesday the 4th day of November instant, and continued until the tenth day of the same month.

The total number of votes polled at the Election for *Mr. Macleennan*, the Respondent, was five hundred and sixty-four and the number for *Mr. Cameron*, the Petitioner, was five hundred and sixty, making the majority for the Respondent, four.

That upon the trial evidence was given as to the charges of corrupt practices by the Respondent and his Agent which evidence I determined to be insufficient to establish such charges.

That upon such proceeding with the scrutiny of votes polled at the Election, nine votes were struck off from those polled for the Respondent and five votes off those polled for the Petitioner, thus leaving an equality of votes when the Petitioner and Respondent declined to proceed further with the Election. And it was agreed by both the Petitioner and Respondent that it was best for the interest of all parties that the case should be disposed of by my determining the Election to be void, as was proper to do when there was an equality of votes.

The number of votes to be enquired into on either side in the objection taken to them was great, the witnesses were very numerous and the expenses of their attendance such that both parties felt that it would be less burdensome to them, to themselves and the Electors even to have a new Election than to continue that enquiry which would probably be protracted for many days.

I was not prepared to dissent from these views and saw no reason why the parties should not be allowed to carry them out. Neither of the parties asked for the costs of these proceedings.

I therefore adjudged and returned that there was an equality of votes as between the Petitioner and the Respondent, and I finally determined as already reported that the said *James Macleennan* was not duly elected in this that it then appeared that there was an equality of votes between him and said Petitioner, and therefore the said Election was void.

I have the honor to be,

Your obed't. serv't.,

JOS. C. MORRISON,

Judge of the Court of Queen's Bench, Ontario.

TORONTO, 26th Nov., 1874.

NORTH SIMCOE CONTROVERTED ELECTION.

To the Honorable Speaker of the House of Commons, Ottawa.

SIR,—In pursuance of the *Controverted Elections Act*, 1873, I beg to certify to you in relation to the Election for the North Riding of the County of Simcoe, holden on the 29th day of January last, that a Petition was duly presented under the Statute, against the return of *Herman Henry Cook*, Esquire, as Member to represent the said North Riding of the County of Simcoe in the House of Commons of Canada.

That the trial of such Petition came on before me at the Court House in the Town of Barrie in the County of Simcoe, on Tuesday, the tenth day of November instant, and continued by adjournment until Wednesday the eleventh day of November then following.

At the conclusion of the said trial on the day last aforesaid, I determined that the said Election was void, and I certify such determination to you pursuant to the Statute.

I append hereto a copy of my notes of the evidence at the trial, and my adjudication thereon.

I have the honor to be

Your obed't. servt.,

JOHN. W. GWYNNE,

J. C. P., Ontario.

Toronto, Nov. 27th, 1874.

TORONTO, Nov. 27th, 1874.

SIR,—In addition to my Certificate of adjudication upon the trial of the North Riding of Simcoe Election Petition, herewith transmitted to you, I have the honor to report as follows:—

Firstly, That on the trial of the said Election Petition, no corrupt practice was proved to have been committed by, or with the knowledge or consent of any candidate at such Election.

Secondly, That no evidence was offered before me of corrupt practices having extensively prevailed at the said Election, and therefore I cannot report whether or not corrupt practices have, or whether or not there is reason to believe that they have extensively prevailed at the said Election.

I have the honor to be, Sir,

Your obedient servant,

JOHN W. GWYNNE,

Judge of Court of Common Pleas.

The Honorable
The Speaker of the House of Commons,
Ottawa.