

*ELECTION LAW.*

The election petitions being over, it is possible to give a *résumé* of the most important points which the election judges have had to decide.

In the first case, that of the *Elgin Petition*, the Scotch judges gave a startling decision on the question when an election begins, a question of vital importance in relation to the return of election expenses. They held that the election commences when the dissolution of Parliament or issue of the writ is imminent (or perhaps when it is thought by the candidate to be imminent), a ruling which would make the statutory limitation of a candidate's expenditure a nullity. This decision has, however, been discredited by the judgments in the *Lichfield* and *Lancaster Cases*. The English judges declined to lay down a general rule as to when an election begins, and said it was a question of fact in each case. At Lichfield they held that the election commenced many weeks before the dissolution, when the candidate, a stranger to the district, sent forward an agent, provided money for political institutions, ran a newspaper at his own expense, and announced his intention to stand. At Lancaster the Court ruled that the fact that an individual was asked to stand and did not refuse (or accept) did not make him a candidate; and they held that a resident in the district who has always taken an active interest in politics does not under these circumstances become a candidate because he continues to support objects to which he has always contributed.

On the question when charitable relief amounts to a corrupt practice the judges differed in the *Haggerston Case*; but the ruling of Mr. Justice Bruce agrees with the decision of the Court in the *St. George's Case*. As a result of the two cases, it may be accepted that for a candidate to spend money in the relief of the poor is not a corrupt practice when the relief is not distributed through a political institution or given with an improper motive. According to Baron Pollock the distribution of charity only amounts to bribery when it is accompanied by a request for a vote, or when it is made colourably on a large scale and without due consideration of the needs of the recipients, whence a corrupt motive may be inferred.

Charges under the Corrupt and Illegal Practices Act, 1895, were brought at Sunderland and at St. George's. The only point