
CONTESTED ELECTIONS.

[COMMUNICATED.]

The attempt made some years ago to secure a better method of dealing with contested elections than that afforded by Parliamentary committees has been productive of abuses almost as flagrant as those which prevailed under the latter system. Political influence was potent in the committees to prevent anything like a judicial decision being arrived at. The same sort of influence now prevents the case from ever coming to trial, and the greater the need for enquiry the more likely it is that no enquiry will be held. If A or one side has been guilty of such acts of corruption as would inevitably void his election, and B on the other side has been equally guilty, a simple way to avoid damaging exposures, destructive of the reputation of party managers, and injurious to the trade of professional politicians would be to "saw off," as the phrase goes, the one against the other, and let both go scot free, and so by previous arrangement the petition is dropped altogether; or, if it has not been practicable to avoid the case being set down for trial, counsel for the petitioner is instructed to tell the court that no evidence has been found to sustain the charge set forth in the petition, and that therefore he desires the case to be withdrawn. The judges cannot compel the petitioner, who is generally a man of straw, to proceed against his will. They have no means of arriving at the true facts of the case, unless some elector intervenes to take up the abandoned suit, and so the solemn farce proceeds with the inevitable result of bringing the whole affair into contempt, from which the court itself cannot altogether escape.

The proceedings in connection with the recent elections in the Province of Ontario disclose a condition of things which should not be allowed to continue as they are, unless the people are content to forfeit all claim for political integrity. Out of about ninety contested elections nearly seventy-seven protests were filed, of which about thirty have been set down for trial, it being the general belief that the "sawing off" process will dispose of the rest. It is evident, therefore, that either the electorate are hopelessly corrupt, or else that our method of dealing with corrupt practices is worse than useless. No one will believe that in seventy constituencies in Ontario corrupt practices prevailed to such an extent as to call for the intervention of the courts, though, as already pointed out, the fact that nearly forty out of the seventy petitions have been practically dropped is no proof that such practices have not prevailed to a greater extent than is at all to our credit. It would be interesting to ascertain in how many cases the contestants would themselves have put up the deposit, and made themselves liable for the costs of fighting the petition, if no outside interference had taken place. Those who framed the legislation which placed the trial of contested elections in the hands of the judges instead of a partisan committee certainly never contemplated the possibility of their action being the means of placing a fresh weapon at the disposal of party managers, who appear, in zeal for their party, to lose sight of what is due to the country. Either the filing of petitions was necessary in consequence of prevailing