

PARLIAMENTARY ELECTIONS.

Ontario Statutes, in those cases more especially where the Ontario Statute has in a great measure, and so far as circumstances admitted, been copied from the Imperial Act.

Various statutes were, from time to time, passed in England in order to supply the deficiencies of the Common Law, or law of Parliamentary usage. These were consolidated in the "Corrupt Practices Prevention Act, 1854," 17 & 18 Vic. c. 102, and from this statute the Ontario Act, 32 Vic., cap. 21, has copied many of its provisions.

Sections 67 and 68 of the Ontario Act, 32 Vic., defining bribery, correspond very closely with Sections 2 & 3 of the (Imperial) Corrupt Practices Prevention Act of 1854, and section 72 of the same Ontario Act defining undue influence, is identical with section 5 of the Imperial Statute.

Sections 63 and 64 of the Ontario Statute as to the furnishing or carrying party ensigns, flags, &c., either before or during the election, are materially the same as the Imperial Statute, and section 66 of the Ontario Statute, as to the closing of taverns on the polling-day, is substantially the same as the Imperial Act.

The distinction between section 4 of the Imperial Statute, defining the offence of treating, and the only section of the Ontario Act which at all corresponds with it, is so marked, that it will be as well to give both sections in full.

By sec. 4 of Imp. Stat.: "Every candidate at an election who shall corruptly by himself, or by or with any person, or by any other ways or means, on his behalf at any time, either before, during or after any election, directly or indirectly, give or provide, or cause to be given or provided, or shall be accessory to the giving or providing, or shall pay wholly or in part any expenses incurred for any meat, drink, entertainment or provision to or for any person in order to be elected, or for being elected, or for the purpose of corruptly influencing such person, or any other person, to give or refrain from giving his vote at such election, or on account of such person having voted or refrained from voting, or being about to vote or refrain from voting at such election, shall be deemed guilty of the offence of treating, and shall forfeit the sum of £50 to any person who shall sue for the same, with full costs of suit; and every voter who shall corruptly accept or take any such meat,

drink, entertainment or provision, shall be incapable of voting at such election, and his vote, if given, shall be utterly void and of none effect."

Section 61 of the Ontario Statutes is as follows—"No candidate for the representation of of any county, riding, city, town, or other electoral division, shall, with intent to promote his election, nor shall any other person, with intent to promote the election of any such candidate, either provide or furnish entertainment at the expense of such candidate or other person, to any meeting of electors assembled for the purpose of promoting such election, previous to or during the election at which he is a candidate, or pay for, procure or engage to pay for any such entertainment; except only that nothing herein contained shall extend to any entertainment furnished to any such meeting of electors, by or at the expense of any person or persons, at his, her, or their usual place of residence."

In secs. 2, 3 and 5 of the Imperial Statute (Act of 1854), bribery, treating, and undue influence, are defined; and by section 36 of the Act, it is declared that any candidate who has been found guilty by a Committee of the House of Commons of either bribery, treating or undue influence by himself or his agents, shall be incapable of being elected or sitting during the then existing Parliament.

In the Ontario Statute (Act of 1868,) sections 67 and 68 define the offence of bribery, and section 69 declares that if any person be proved guilty before an election committee of using any of the means defined in those sections to procure his election, his election shall thereby be declared void.

Section 61 of the Ontario Act, already quoted, forbids the treating of meetings of electors, and section 65 of the same Act imposes a penalty of one hundred dollars, to be incurred by any person offending against the provisions of said section 61.

Section 72 of the Ontario Act of 1868, defines the offence of undue influence, and imposes a penalty of two hundred dollars, to be incurred by any person offending against its provisions.

So far, therefore, as the Ontario Act of 1868 is alone concerned, it would appear that the offences of treating contrary to section 61, and undue influence, merely impose a