

sometimes takes the form of a broad hint, that the candidate is not to know anything of money expenditure. Everybody knows that who has had any experience in electioneering mechanics. Now a man who puts into the hands of his committee tens of thousands of dollars, or permits them to draw on him to that extent, cannot but know in what channels his wealth is flowing. Notwithstanding this, he may appear in the witness-box and swear that he knew nothing of the bribery committed by his agents—swear it with unruffled countenance, and with no risk of incurring the legal penalties attaching to perjury. We say *legal*, for morality may be left out of the reckoning here. What, we should like to ask, is the use of a law through which the merest tyro in the art may drive a coach and six?

It is, of course, difficult to pronounce with confidence upon a decision for which no adequate reasons are assigned; but the absence of such reasons affords a presumption at least that the decision is indefensible. The refusal of the Clerk of the Crown in Chancery to permit a scrutiny of the ballot-papers used in the recent Montreal election, is a case in point. At the last general election, Mr. Frederick Mackenzie was returned for the constituency by a majority of nearly four hundred. He was unseated for bribery by his agents, presented himself for re-election, and was returned by a majority of five or six. The corruption at the first election was of the most unblushing character. Many thousands of dollars were spent, the major part being the moneys of Mr. Mackenzie's firm. Of course, it is among the possibilities that the candidate was not cognizant of the bribery. As we have already remarked, it would have been contrary to established usage if he had; at any rate, as the Judge absolved him, we have nothing to say upon that head. The diminished majority, which came within a little of being transmuted into a minority, may be variously accounted for. Either the electors were de-

termined to express their views on bribery, as honest men should do, or they were offended because their palms were not regreased, as rogues will be. An additional cause, however, of another sort, may be traced in the recognized ability and general popularity of the Opposition candidate, Mr. Thomas White. It was not likely that the defeated candidate would rest content with the announcement of the bare numbers by the returning officer, who was presumably a friend of the Government. By Act of Parliament, a scrutiny of the ballot-papers is permitted under certain circumstances, and, in this case, Judge Beaudry, and subsequently Judge Berthelot, decided that Mr. White was entitled to such a scrutiny. Armed with the judicial order, Mr. White and his counsel repaired to Ottawa and presented it to Mr. Pope, the Clerk of the Crown. This gentleman, after consulting M. Fournier, the Minister of Justice, refused to obey the order and permit the scrutiny. We have no hesitation in stigmatizing this as an outrageous exercise of arbitrary power, for which no adequate defence, or even excuse, can be offered. If a safe-guard provided by law against fraud be taken away because it might make for an opponent, we are on the high-road to the republican achievement of ballot-box stuffing. It has been stated by "those who know," that Mr. White would be found entitled to the seat on a scrutiny. This may or may not be so, and is, after all, nothing to the purpose. Mr. White is wronged as a candidate when a right, to which he has a legal claim, is denied him; and the constituency is wronged because, for years to come, it may be misrepresented by a candidate elected by the minority. It would be curious to learn from M. Fournier what advice he would have given had Mr. White been elected by a majority of half a dozen, and Mr. Mackenzie had sought a scrutiny from Mr. Pope. We presume that the Minister of Justice is quite safe in disregarding