

Election Case.]

EAST TORONTO ELECTION PETITION.

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bribes were made to induce them to vote for respondent.

The first is John Fulton. He stated that Leonard Hewit asked him to vote for Mr. Cameron. He said he could not. Hewit asked if he was not going to build a house; he said he was. Hewit said he would give him two thousand feet of lumber if he would vote for Cameron. He said he could not do it. Hewit said he would send him some more if that was not enough. He said he voted for Medcalf. Mr. Cameron's scrutineer swore him, and that was the way his name came here. On another occasion, just to try him, he asked Hewit what he would give him to vote for Cameron. Hewit said \$20, just to try him; he said he wanted more. Hewit finally decided he would give him \$25, and gave him his word of honor he would make it all right. Hewit asked, would he not take his word and honour until after the election. He said he supposed he must, and he was to vote for Mr. Cameron.

On cross-examination he said he did not promise to vote for Mr. Cameron. He said he wanted to get a hold on Hewit, he thought he was too officious, and he wanted to get hold of him. He said he never promised to vote for Mr. Cameron. He would travel from here to Cookville on his bare feet to vote for Medcalf rather than for Cameron. He said there were plenty of men present when the conversation about the lumber took place, but he could not name any of them. The first time he thought Hewit was in earnest, and he was so himself when he refused him. The men could not hear them. He could not tell a single man present when Hewit made the offer.

Hewit was called and denied ever offering him any lumber to vote for Mr. Cameron. He said in conversation (they worked in the same shop with other men) about the candidates, that Fulton said when he last voted he got lumber enough to build a house, and he would not vote for either of the candidates unless they came down. He asked him if he thought Medcalf would come down, Fulton said he did not think he would. He (Hewit) said if that was the matter he was foolish for voting for him, that the Government had plenty of money and lumber too; that was about the substance of his conversation. He did not offer to send up 2000 feet, or any lumber. He did not offer him \$25 to vote for Cameron. He must be labouring under a mistake, he never offered him a copper. Hewit contradicts Fulton's statements as to offering to give him \$20 or anything. He never understood from beginning to end he was to vote for Mr. Cameron; always understood he was to vote for Medcalf. He canvassed for him. He did not know Fulton had a vacant lot. He said that what he did say to Fulton was in the way of chaffing, and as a joke. He said he was foolish for voting for Medcalf; that the Government had plenty of money and lumber too. Nothing was said from which any person could seriously infer that he intended to offer Fulton anything to vote for Mr. Cameron. He did not think 2000 feet of lumber or \$25 in cash would have induced him to vote against Medcalf. From the manner in which these men gave their evi-

dence, I was not satisfied that any serious offer to bribe Fulton had been made by Hewit.

The other persons to whom offers were made were George Smith, James Agnew, and Samuel Nisbet.

George Smith said that one of the Gooderhams, he did not know which, said if we would vote for Mr. Cameron—if we all supported him down there, they would give the right to have South Park street through. He believed they surveyed it out the day before the election. He believed Gooderham owned a small lawn.

I understand by this that Mr. Gooderham would consent to a street being continued through the lawn. Whether this gentleman was an agent of Mr. Cameron's or not does not appear. I think we cannot on this vague kind of statement unseat the sitting member.

George Smith also stated that Carruthers told him he had bets on the election, and he could make more bets if he (Smith) would vote for Mr. Cameron. He said he would give him \$20 if he would vote for Mr. Cameron against the old man (meaning Mr. Medcalf). Smith said he would not take \$100 and vote against him. He said he could make up bets, he had one made with Victor Thomas at the same time. Carruthers said he would win the bet if he voted against the old man. This was on the nomination day, the speaking was going on, it was a little damp, and he wanted to get away.

John Agnew said that on the night of the meeting at the Dutch Farm, Carruthers said to him, "You always did go for me." He replied, "But I can't now." He would do all he could for Mr. Cameron only for Mr. Medcalf. Carruthers said, "You had better have a couple of dollars. You will have your mind made up before the election comes on." He said he had his mind already made up.

Samuel Nisbet was a scrutineer for Medcalf. He said he met Carruthers at Duggan's Tavern, McDermott and McDonald were there. Carruthers said if he would go with them, he had a nice inside job for him to-morrow. Nisbet said he could not promise. Carruthers said if he went with him he would not rue it, that there was lots of money going. He (Carruthers) said before Wednesday or Thursday night at the outside, he should be recompensed. McDermott and McDonald pressed him to go with them—said there was lots of money. He asked how money could be used. They said they would make that all right, saying, before Wednesday or Thursday night he would find out. On the day of the polling McDermott and McDonald came in, they were surprised to see him there acting as scrutineer for Medcalf, they began to abuse him and call him names. He threatened them if they did not keep quiet at the polling booth, he would use their own words against them. They told him if he had got the two dollars the night before, he would have been for Cameron.

On cross-examination, he said he told McDonald the day of election he would use the words against him. He first told it to the petitioner's solicitor that day. It was not known, before the conversation at Duggan's, that he was going to support Medcalf. He did say something to Mr. Cameron at Lynch's; found fault with him, and showed a preference for Medcalf; and