

# THE LEGISLATURE.

## Mr. Hudson Makes Charges of Fraud in Elections.

### INVESTIGATION DEMANDED.

#### Is it a Case for the Privileges and Elections Committee?

Speeches by Leading Members—Meetings of Several Committees—New Bills Introduced.

TORONTO, April 10.

So dull and dark was the day that the lights were lit in the Legislative chamber from the very opening of the sitting this afternoon. A number of the members had left for the weekly recess by the early afternoon trains after attending the committees which met in the morning. During the afternoon other chairs were vacated. Such progress was made with the business during the afternoon that the House adjourned at 6 o'clock.

#### Third Readings.

The following private bills were read the third time:—

To extend the powers of the Toronto Home for Incurables—Mr. H. E. Clarke (Toronto).

To authorise the Corporation of the Town of Orillia to purchase land for a postoffice site—Mr. Miscampbell.

#### Mr. Hudson's Charges.

Other resolutions on the order paper were passed over, and that standing in the name of Mr. Hudson of East Hastings was the first one taken up. The following is the resolution:—

Mr. Hudson, a member of this House, having stated in his place that he is credibly informed and verily believes that at and during the election held on the 5th day of June, 1886, of a member to represent the electoral district of the East Riding of the County of Hastings in this House, gross irregularities and frauds were committed by D. R. Leavens, the returning officer appointed to hold said election, in taking and counting the votes of the electors of the said electoral district at polling subdivision No. 1 of the Township of Taurlow in the said electoral district, at which polling subdivision the said D. R. Leavens acted as deputy returning officer, and that grave irregularities and frauds were committed by James McCready, deputy returning officer at polling subdivision No. 8 in the said Township of Thurlow, and that other grave irregularities and frauds were committed by other deputy returning officers at and during the said election, all of which said irregularities and frauds were committed to the prejudice of the rights of the electors of the said electoral district and of the said Hudson as and being a candidate thereat; be it therefore resolved that the matter of the said complaint and of the conduct of the said election and of the said returning officer and his deputies thereat and in reference thereto be referred to the Committee on Privileges and Elections for inquiry and report.

In his speech before presenting this resolution Mr. Hudson gave particulars of the charges he had to make. In doing so he expressed regret at being compelled by a sense of duty to make serious accusations against another, but declared were he to shirk his duty he would be unworthy of the honor reposed in him by the electors of East Hastings. He spoke in the highest terms of Mr. Thomas Dacey, who had been returning officer in former elections, and declared that the passing over of Mr. Dacey and the appointment of Mr. Leavens

as returning officer was, in his opinion, due to the fact that Mr. Dacey would conduct the election fairly as between man and man. He charged unfairness against Mr. Leavens in the election of 1886, but after giving a few particulars came directly to the election last June and the special complaints he had to make. The following is a summary of the charges:—

Mr. Leavens appointed himself deputy returning officer at one poll (No. 1, Thurlow) contrary to precedent, if not contrary to law. He refused to place the ballot box on the table or in any place where it could be easily seen, but insisted upon keeping it under the table. In the case of a voter named Brown, a non-resident, though the person was challenged on behalf of Mr. Hudson, Mr. Leavens refused to administer the oath. In the case of a voter named McNelles Mr. Leavens opened his ballot and told the voter he had marked it wrong. Another ballot was given and this also was opened before being deposited. In the case of a voter named Heaslip the returning officer was about to open the ballot after it had been marked; the voter remonstrated and a struggle ensued in which the ballot was torn. Mr. Leavens made a charge against the voter of making a disturbance in a polling place, which charge he afterwards withdrew. On the count only 71 ballots were found marked for Hudson, but since the election 74 voters had made statutory declarations that they had voted for Hudson. Mr. Hudson declared that no influence could be brought to bear which would reduce his actual vote at that poll below 85. At poll No. 8, Thurlow, the deputy returning officer at first placed the ballot box under the table, but on Mr. Hudson's agent remonstrating, it was raised to a level with the table, but in such a position that it could not easily be seen. At this poll 95 votes were counted for Hudson, while 105 voters had made statutory declarations that they had marked their ballots for Hudson. One ballot was spoiled marked with the name of Mr. Hudson's opponent. On being returned it was placed on the table under a book, but was afterwards missed. The deputy admitted that he had given it out, but inadvertently. At poll No. 6, Thurlow, the deputy, Mr. Hurford Ashby, at first put the ballot box under the table, but on objection being taken placed it so that it could be seen by the scrutineers if they changed their position. On the ballot box being opened there were two ballots less than, according to the poll books, there should have been. Two ballots were found folded together in such a way as to indicate that they must have been thus folded before being put into the box. After the count was completed the returning officer acknowledged that he had found one additional ballot in the box marked for Hudson. But this was not counted. At poll 3½, Hungerford, Jefferson Caviller was deputy returning officer. According to Mr. Hudson's information, two men whose names were not on the list were allowed to vote, and though their votes were challenged, the officer refused to administer the oath when asked to do so. On declaration day a young man, son of one of the deputy returning officers, stated in the hearing of responsible men that a re-count would be demanded and enough ballots would be found marked with a little cross to defeat Hudson. At the re-count a number of ballots were found thus marked, and at the end of two days' scrutiny every one thus marked was a loss for Hudson, none falling as a loss to his opponent. These were evidently made with two different pencils, each of them different from those used in the polling booths. Attention was called to these points in court, and next day when the remainder of the ballots were being counted it was found that the small crosses appeared on about an even number