

THE ELECTION MACHINE AND HOW IT WORKS.

Continued from Page 2.

Political parties were not free from the weaknesses of human nature and irregularities would occur sometimes.

He believes in keeping sensitive the political consciences of the people. A people could not make the most of their opportunities as a nation until they instilled into the youthful mind the principles of righteousness and insisted upon the maintenance of conduct that would stand the closest scrutiny.

He hoped the day would never come when the Liberal party would depart from those principles of political morality which had been laid down by Mackenzie, Blake and Mowat.

These high standards must be maintained intact if the best moral force of the community was to be preserved. (Cheers.)

The Liberal party had attained to its present high position because it had attracted to itself the best moral elements in the country, and the moment it ceases to possess that moral force disintegration would set in.

God only knew what the consequence would be to the country if that should happen.

THE ORGANIZERS ARRIVE.

Then the organizers were introduced and the "best moral forces" got to work. It is difficult to find how many took part, but the more prominent were the following:—Mr. Alex. Smith, then and now chief organizer; Mr. James Vance, then and now assistant organizer; Mr. W. T. R. Preston, Government official, special organizer; "Cap" Sullivan, D. F. MacDonald, and Duncan Bole, Government officers; Tom Lewis, W. H. Hoppins, J. G. Pritchett, E. D. Croden, Martin J. Cahill. Each man seems to have a retinue and special work.

Mr. Preston was particularly proud of his entourage. He made a speech at St. Thomas in which he said:—

"Not a man among them but has come here openly and at his own expense, and out of the love of the cause of good Government. When this election is over our opponents will not be able to put a finger upon any act of wrong-doing."

Mr. Preston also attended Sunday School at St. Thomas, and addressed the scholars. He asked them to sing his favorite hymn: "There is Sunshine in My Soul To-night." Mr. Macnish won the election, defeated Mr. McDermid, and Mr. Preston telegraphed Mr. Macnish his congratulations thus:

Toronto, Jan. 12th, 1899. Donald Macnish, St. Thomas— Heartiest congratulations. Sorry to the bottom of my heart I cannot be with you to-night.

To be supported by such a noble army of workers, should make you the proudest man in Ontario. Shake hands with the boys for me, and hug the members of the much abused threshing machine for Auld Lang Syne.

PRESTON.

On the following day Mr. Preston received his appointment as Immigration Commissioner, which had already been arranged for, at the hands of the Federal Government.

HOW THE FACTS LEAKED OUT.

The facts leaked out owing to the extraordinary figures that were produced at the election. It was found that at one polling booth, No. 6 Southwold, 104 voters had voted for McDermid, but that only 85 had been counted. At No. 4, Southwold, 84 swore they had voted for McDermid but only 42 had been counted. No. 7 St. Thomas, 91 had voted, but only 80 had been counted, while there were 35 more than usual counted for Macnish. In all 235 votes were switched or spoiled. In addition, the bribery has been general, and bogus deputy returning officers had been employed under assumed names.

One officer was Duncan Bole, who operated as R. B. Stafford. He was a Government fishery officer and immigration agent brought by the machine from the Sault. At his polling place 84 electors voted for Mr. McDermid, and only 42 were counted for that candidate. Proceedings were entered against him, but the Government refused to prosecute, and he turned the incriminating ballots and eventually got him off.

Another was Martin Cahill, who operated at No. 11, St. Thomas, as Albert E. Montgomery. He committed frauds and escaped through the burning of the ballots, and the refusal of the Government to prosecute.

Still another stranger acted at No. 4, St. Thomas, under the name of Stratford. He committed frauds and was not pursued. Thomas Cahill introduced the alleged "Stratford" to the sheriff for appointment. Cahill has since been appointed license inspector by the Government.

John G. Pritchett acted under the name of Marshall B. Johnson, at No. 6, Southwold. He has taken an affidavit, declaring that he was employed to go in and count frauds and that he "slipped" nineteen ballots thus producing a majority for Macnish when that candidate was really in a minority. Pritchett was paid

for his services, also \$100 a month to remain out of the country until the trouble had blown over.

ALL THE OFFENDERS ESCAPE.

When the frauds were discovered the ballots were the chief evidence against the machine. These were burned in the Parliament Buildings in advance of legal proceedings. One of the officers who took part in the "accidental burning" of the testimony was James Robertson.

No punishments have been inflicted. All the guilty parties have escaped. In order to aid in the escape the Government appointed a commissioner to enquire into the election. This commission was restricted to an investigation of the acts of deputy returning officers. It discovered that there had been irregularities, but found no one guilty.

CONFESSION BY MACHINISTS.

Two confessions in addition to that made by Mr. Macnish have been made. One is by John H. Varl, of London. Mr. Varl says in an affidavit that Thomas Lewis, of whom we shall hear again, procured him and seven others to personate voters at St. Thomas. He adds:—

"Lewis gave me and the others tickets with the names of those for whom he wanted us to vote, and also gave us each a pin in the form of an "I" to distinguish us. We were to vote for Macnish. Drivers were to take us by roundabout ways to the booths. The person pointed out to us as Alexander Turner drove me to two polling booths for the purpose of voting. The payment for the work was \$2 per vote."

Each man received \$2 for every fraudulent vote polled. The breast pin in the form of an "I" was the signal to the scrutineers to let the vote through.

The other offender who confessed is Pritchett. He was selected to act as a deputy returning officer and to stuff the boxes. He admits that he acted under the name of Marshall B. Johnson, and "slipped" nineteen votes, for which he got \$25. Warrants having been got out for his arrest the Government agent in London Tom Lewis, urged him to leave for Detroit and paid him for it \$100 a month, and afterwards \$50 a month, during his sojourn on the other side of the line.

HOW THE MEN ESCAPED.

None of the offenders were punished. Two men, however, were arrested by private parties. One, Duncan Bole, Government Immigration Agent and Fishery Inspector at the Sault, had been summoned to the constituency to act as deputy at polling district No. 4, Southwold. The electors whose ballots had been tampered with demanded that he be punished. They petitioned the Attorney General at Toronto to secure them redress and to proceed against the offender. The petition remained unanswered.

Meanwhile the lawyers for the plaintiffs communicated with the County Crown Attorney, Mr. Donahue, informing him of the arrest and urging him to take over the prosecution. Mr. Donahue replied with an objection to the arrest of the accused without prior consultation with him. Then a lot of the documents required for the prosecution—the ballots, poll books—was served upon the Crown Attorney, with a request that the Ministers at Toronto, in whose charge they were, produce them. Mr. Donahue replied that he could not see how the offender could be convicted on such evidence. Moreover, it would be improper to request the Attorney-General to forward the documents containing the evidence of Bole's guilt, because the private prosecutors were "men of straw," and the Attorney-General had "to take care lest innocent men be criminally prosecuted on insufficient grounds."

Finally Mr. Donahue did consent to lay the request before the Attorney-General. But in the meantime the ballots had been "accidentally burned" in the Parliament Buildings and were therefore out of reach. Later on the accused disappeared and then it is believed that his bail was never estreated.

RESCUED FROM THE TOILS.

The second case in which the offender was rescued from the private prosecutors was that of Martin J. Cahill. This man was one of the numerous bogus deputy returning officers. He was brought into the machine from the Sault, and was installed as deputy at No. 11, St. Thomas, under the name of Albert E. Montgomery, a property holder of that city. Cahill took the oath, naming himself as Montgomery, and made false documents by signing statements of poll and other papers in Montgomery's name. He had been instructed what to do, and he was charged with perjury and forgery when his frauds were discovered. The Crown made no attempt to arrest him. This work fell to private parties, who insisted that the Crown Attorney should prosecute. Cahill, however, charged with forgery, was released on \$2,000 bail, with \$500 further given by himself.

The incriminating document never came to hand. They had all been burned in the Parliament Buildings. While waiting for them, and pretending that they were still in existence, and would yet come the Crown permitted the \$1,000 of bail by the sureties to be dropped. Cahill at once disappeared and no further attempt was made to try him for the crime. The machine thus saved its agent, and justified the boast that had been made on its

behalf, that no offender would ever be punished.

West Huron Frauds.

Mr. Clarke, the Liberal member for West Northumberland, announced in the Legislature that "West Elgin had no blacker history than dozens of other constituencies. The offenders in West Elgin happened to be found out; that was all." This is evidently true, for passing on to West Huron, the machine is found to have been active there a second time. It was despatched there to secure the election of Hon. Mr. Garrow, Minister without portfolio. The election trial took place in June, 1899, but the enquiry dealt only with the corruption, the practice of this evil being sufficiently prevalent to upset the election. At this trial it was proven that Alex. Smith, J. J. Threlkeld, Walter Vanstone, Jas. Vance, "Cap" Sullivan, J. T. Linklater, and a host of other organizers had participated. The constituency had been carefully mapped off into divisions, and an organizer with assistants was placed in charge of each district. "Cap" Sullivan, who is an official under Hon. E. J. Davis, in the Crown Lands Department, went by the name of "Roberts." His proceedings and those of Linklater formed the chief feature of the judicial enquiry. Peter Deans, jun., swears that he attended Sullivan, alias "Roberts," at Wingham, and took him to persons whose names were on a list supplied to him by the head machinists. The persons visited were offered bribes to vote for Mr. Garrow, at the rate of \$2 per head. Linklater, according to Theophilus Finnan, paid \$2, and some times as high as \$4 for votes.

The seat was vacated before all the facts came out. Sullivan disappeared and Linklater was paid \$100 a month to remain out of reach.

A BRAZEN CHAIN.

In this case the machine made the extraordinary claim that its men were not really agents of the candidate and that as "corruption by agents" alone invalidated an election the election, although secured by bribery, could not be declared void. The court happily declined to take this view of the question. Mr. Justice Rose said:

"If a candidate does not wish outside interference with the management of the election he must take decided action to prevent such interference."

The plain result of holding otherwise will be that the candidate, local organization, general committee and sub-committee might all be free from illegal or corrupt practices as far as themselves personally are concerned, and yet the management of the election by outsiders sent or coming into the riding to expend money and to use improper means for the purpose of promoting the election of the candidate might be made illegal and corrupt and the court would be powerless to interfere.

"Every new scheme for avoiding the consequences of improper conduct must be met by such a construction of the statute as will enforce its provisions."

The claim to special privilege for the machine was thus negated in this case.

TRACED TO HEADQUARTERS.

The court traced the conspiracy direct to headquarters. Mr. Justice Rose said:

"The bribery cannot be regarded as trifling. The bribes and persons bribed will, as the law requires, be reported, however useless a formality it be."

The judge knew that nobody would be punished. Then after commenting upon the fact that Mr. Garrow claimed to have spent no money illegally the judge said:—

"Assuming this to be so, then it must be that the moneys which were illegally and improperly expended were supplied by outsiders who sent their agents into the riding and interfered with the management of the election."

"That Smith was an agent of the respondent can, I think, admit of no question."

"That he brought others into the riding and assumed a management and control which was recognized and submitted to is perfectly clear and we have found that in at least one case he made an illegal payment. Of course his expenses and those of the persons with him have been paid out of some fund unless indeed one could believe that he and his assistants were volunteers paying their own expenses."

The machine was introduced; the corruption was practised; the funds were supplied and the Government agent had the management and control of the election. It is unfortunate that the full story of election crime has never been told.

Wrongdoing in North Waterloo.

While in West Huron the responsibility for the presence of the machinists is traced to the Government organ zero something more has been effected in North Waterloo. There the crimes were flagrant. Mr. Simon Snider, vice-president of the North Waterloo Reform Association, testified in court as follows:—

"Hon. J. M. Gibson and Hon. E. J. Davis, on the 11th of April, in a meeting at the Wolfer House for the purpose of allaying some local party differences promised in speeches to send speakers and organizers into the

riding to help the Liberals in the coming election."

When the contest opened the "organizers" promised by the Ministers attending in conformity with the pledges given. The candidates were Mr. Lackner (Conservative) and Mr. Breithaupt (Ministerialist.) Two courses of procedure were pushed by the machine. One was the manipulation of the ballots special experts were introduced. A. R. Shantz testified that he was poll clerk at No. 2, Berlin. He was taken by one Wildfong to Thomas Lewis, of London, who was an organizer. He says:—

"Lewis sat down and proceeded to tell me what was to take place. He said they proposed to pay \$5 for every ballot spoiled or switched. He took up a piece of paper and put a piece of lead into his thumb and showed me how to pick the ballot up so that when seen it was a spoiled ballot. He showed me how to switch ballots also and said they would be worth the same. He said he would not pay for any more than 20, so that \$100 was the limit a man might make. Wildfong told me Harry Cummings was in it."

Shantz proceeded to testify that those men who committed fraud would be protected by the Government:

"Lewis said we would be protected from trouble—that they would protect us. I asked Lewis as to what would be done if there was a recount. He said we would have too large a majority for a recount."

In this contest the machine provided the officers with little bottles of cement with which to fix bits of pencil under the thumb nail for ballot spoiling purposes.

Shantz acted at No. 2, Berlin, at which Harry Cummings was deputy. There four votes were spoiled, and twenty-one were switched.

MINISTER DAVIS INTERFERES.

With respect to Cummings, John McDougall, the returning officer, testifies that he had dismissed him for an irregularity, but that Hon. E. J. Davis insisted upon his reinstatement as a deputy. He says:

"Hon. E. J. Davis asked me why I did this, and further said: 'If that boy were your son, how would you feel if he was put on and then taken off again?' It was after that I re-appointed Cummings, but not for that reason."

This was the second interference by Mr. Davis, in the election. The first was when he promised to send in organizers. The frauds were proven to have been widespread. At the opening of the court many of the switched ballots were restored and counted. Then the spoiled ballots were investigated, and a procession of electors proved that these ballots had been altered after they had marked them. The court reported Cummings and Wildfong for fraud. The Government refused to proceed against these men for two years. At last, forced by public opinion a prosecution was opened and the men who had been reported guilty by the Supreme Court were found to be not guilty and were let off by the Police Court. The promise given by Lewis who offered \$5 for case of fraud, that the agents would be "protected," was fulfilled.

WIDESPREAD CORRUPTION.

Corruption as well as ballot trickery was resorted to. Henry Shantz swears that Lewis engaged him to buy votes at \$5 per head. Lewis said to him:

"I believe your afraid you won't get the money. We have \$20,000 and we have \$30,000 more to get, and the money came from the Government. The money was right on the table in two big bunches. It was paper money—\$5, \$10 and \$20—so far as I saw."

"Lewis," he added, "offered to give us \$5 a vote, we could give the voters what we liked." A large number of persons testified to the bribery. Among them was one Albert Bossard. Bossard was a hotel-keeper at Berlin, and a member of the Young Liberal Club. Mr. Simon Snider, already mentioned, as an officer of the Reform Association, swears that Bossard was introduced to him by Mr. Benjamin Dewitt, the license inspector. Then Lewis, one of the organizers, and Vance, another organizer, saw Bossard. Vance asked Bossard if he was acquainted at Weisenberg, to which the reply was in the affirmative.

"Lewis," says Bossard, "asked if I couldn't go over there and get some Conservatives to vote Reform. I guessed I could, and that I would go. I went over there. Before I went over I saw them again, and told them I didn't know whether I would take much part, as I only had a license for three months instead of the year. They told me not to be afraid, as I would get my licence all right."

After the election Bossard's license was extended for the full year. Thus we get an intimation of the manner in which the licensing machinery is used for corrupt purposes.

Bossard declared that he received \$500 from Lewis, Gorman and Vance.

"After getting the money I went to New Germany. I had a list of names for whom I required \$25 each. The parties to whom money was paid by me are Barney Scherer, Frank Scherer, George Scherer, Joe Lauber, William Brohman, and Andrew Schaffer, who has since died. Scherer went round and got the names of

N., G. & J. McKechnie.

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Continued on Page 7.