

unknown person by Duplex, and the third, the treating of Mr. Macdonell by an unknown person. It was not necessary to consider the first and second cases, as there was not sufficient proof of agency. The third case, however, was one which came up for the first time under the statute. The 66th section of the Act of 1868 prohibited the keeping open of taverns and the sale or giving of spirituous liquor during the hours of polling to any person within the limits of the municipality. By the earlier Act of 1871, relating to the trial of controverted elections, corrupt practices were defined to be bribery, undue influence, and illegal and prohibited acts in reference to elections or any of such offences. Under that Act the *Brockville* election trial (*ante* p. 139) took place, and the Court of Queen's Bench construed the law so that the word "corruptly" was held to govern the whole section. In the original Ontario Act, treating at meetings was a corrupt practice when done "with intent to promote the election" of a candidate. That phrase governed the whole section; but the Legislature had omitted that phrase from the new Act (36 Vic., c. 2, s. 2) with the design of getting rid of the question of "intent" altogether. The manifest policy of the law was to stop the giving or selling of liquors on the polling day, whether the intent were innocent or not. He referred to the Interpretation Act, 31 Vic., cap. 1, sec. 8, sub-sec. 39, to show that all statutes were to be construed in a fair, large and liberal manner, so as to ensure the attainment of the object of the Act. The object of the provision in the Election Act was to prevent the giving or selling of liquor. Two persons must be concerned in any such transaction or violation of the law, and so the person who received the liquor was as much a violator of the law as he who gave it. *Rex v. Pitt*, 3 Burr. 1335; and *Rex v. Vaughan*, 4 Burr. 2501. It had been argued that while it was an offence to receive a bribe it was none to give one; but Lord Mansfield said that what it was a crime to take, it was a crime to give; the two things are reciprocal. It