

have been induced to do." The learned Judge acquitted the respondent of personal corruption, but held that the act of the agent, in distributing the coals in the way he did, made it an agency for securing votes for him, and was therefore corrupt within the meaning of the statute.

I refer particularly to this case, as it was relied on strongly by both the learned counsel in their very able addresses; and it appears to me to sustain the argument that so long as charitable donations are given generally, and not with a view to influence any individual voter, they will not vitiate an election. There must be such large and indiscriminate gifts as to leave no doubt on any one's mind that the effect had been to corrupt the public mind, or, in other words, to constitute general bribery. In the *Guildford case* (1 O'M. & H. 15) Mr. Justice Willes said: "It is unnecessary to go into any inquiry here as to general bribery. We have no evidence whatever of the prevalence of general bribery at the election. But do not be mistaken, and suppose that because these inquiries turn upon individual cases, and upon whether these cases are traced to the member or his agents, that general corruption quite apart from acts of the members or their agents would not have the effect of vitiating an election. It clearly would, because it would show that there was no pure or free choice in the matter, that what had occurred was a sham, and not a reality. This, however, is out of the question here. There may also be bribery so large in amount as in itself to furnish evidence, not indeed of general bribery, but of bribery coming from a fund with which it is impossible, as a matter of common sense, not to conclude that the member or at least an agent of his was acquainted. In that case the proper result would be the vitiation of the election, because the bribery was of such an extent as must have come to the knowledge of the member or his agent."

There was no such evidence in the present case. The case of the *South Huron election* (24 C. P. 488, ante p. 576) was referred to by Mr. McCarthy as showing that