

OSLER, J.A., held that, even if there was a suspicion (which there was not) of the truth of the respondent's denial, the payment of the trifling additional sum over and above what was perfectly legitimate, should, both as to fact and intent, be proved, if not to a demonstration, yet, at the least, so as to produce moral certainty, and even this had not been done.

MACLENNAN, J.A., held that it was impossible to give credence to the account which the respondent gave of the transaction, contradicting the evidence of Whisken, having regard also to the respondent's account of the sum of \$500 received by him from the Conservative Association, and the two sums of \$100 each received by him from Alexander Carscallen and Uriah Wilson respectively, and therefore the charge must be found to have been established.

Owing to difference of opinion, charge dismissed.

Charge No. 29 was as to the bribery of R. T. Jones by the payment to him of \$2.25 to induce him to vote for respondent, or for hire and payment for his employment in carrying voters to the poll in violation of sec. 159 (1) (a) and (c) of the Election Act.

THE COURT held that there was not the least pretence that this was a corrupt payment.

Charge No. 30 was as to a payment to John Smith, similar to that made to R. T. Jones.

Dismissed on the same ground.

Charge No. 43 was as to the payment by James A. Wilson of \$1 to F. W. Parkinson to induce him to vote for respondent. The charge was made by Parkinson and categorically denied by Wilson.

OSLER, J.A., held that as there was no corroboration of Parkinson's statement, or any circumstances which would lead to its being preferred to Wilson's, but rather the contrary, the charge must be dismissed.

MACLENNAN, J.A., held that the fact of the payment ought to be regarded as proved, but that there was no sufficient evidence of Wilson's agency, and that the charge should be dismissed.

Charge No. 52 was as to the hiring by the candidate and his financial agent and other agents, and their payment for or promise to pay for, vehicles to carry voters to and from the poles.

THE COURT held that, although the liverymen had, before the day of the election, charged the candidates more