

William J. Thompson was canvassing for Respondent, and thinks (as I do) that Respondent knew it. He admits several distinct acts of bribery of voters.

John E. Robinson, the man who received the \$500 from *Knowlton*, and who admits having retained \$200 for himself, in my judgment, committed acts of bribery.

Philip Cook was Chairman of a Ward Committee; large sums passed through his hands, and he admits distinct acts of bribery.

John J. Magee, an active canvasser for the Respondent, received about \$900, which he paid away to various people for what he calls "Election purposes." He would give no definition of his understanding of the "purposes," but it seems impossible to suppose that he could have believed the money was to be spent otherwise than corruptly, and in my opinion he must, on these facts, be assumed to know it was corruptly done.

The very numerous acts of bribery proved with complete distinctness, must render it impossible to uphold this Election.

I have now to consider the evidence in which it is sought to render the Respondent personally responsible. He admits having paid \$1150 to *Mr. Dixon* for the expenses that he considered he would be lawfully liable for. There were seven Wards: the constituency consisted of several thousand voters, and he and *Mr. Dixon* consulted as to the amount that probably would be required. At first \$1000 was considered sufficient. *Mr. Dixon* has given us an account of the expenditures of most of this money. Three hundred dollars went for payments to clerks and messengers; there were eight or ten clerks, and the work ran over nearly all January; messengers were also employed. Other items were for coal, furniture, rent of rooms; \$100 to a *Mr. McDonald* a lawyer, who sometimes acted for *Mr. Dixon*, and \$600 to \$700 was paid by him to Committees in the Wards for their expenses, rent of rooms, light, refreshments, vehicles, driving about, canvassing, etc.

I see no reason to think that Respondent or *Dixon* knowingly applied or intended to apply any of this money to illegal purposes.—Respondent further admits having paid to the *Herald* newspaper \$100 for advertising; to the *Free Press* for the same \$110; and to the *Advertiser* for advertising and for bills, posters and printing connected with Election \$625. For ornamental canvass cards, \$20.50; stationery and books \$61.35, total \$946.85.

This would leave his admitted expenditures about \$2100. It was not strongly pressed that such a sum would, under the circumstances, be extravagant, nor am I prepared to hold that it was.

I now turn to another branch of the case affecting the Respondent. Large sums of money were proved to have been received from *Thomas H. Smallman* and *George Reaves*. They were partners with the Respondent in a large oil refining business, called *Reaves & Co.* The Respondent was stated to have been not an active member of the firm. *Smallman* and *Reaves* were shown to have taken a very active and prominent part in promoting Respondent's return. *Reaves* is absent, but *Smallman* was examined. He admitted that between \$5,000 and \$6,000 passed through his hands in the Election contest; of this, he himself furnished \$1,000. *Mr. Edward Harris*, a Barrister and Attorney here, belonged to a legal firm which did business for *Reaves & Co.*, and one of the firm was Respondent's own Solicitor. *Smallman* says that he knew *Harris* was actively interested for Respondent, and he thought him the most likely person to go to for money, and he obtained from him \$4,000 in three or four sums. He never promised to repay it, took no receipt and gave no security; no one suggested his going to *Harris*; Respondent never mentioned *Harris* to him; nothing was elicited from this witness in any way to prove that Respondent knew of the moneys advanced by *Harris*; or any communication between *Smallman* and Respondent as to Election expenses with which *Smallman* was concerned. He proved that Respondent and *Harris* were intimate. He said he paid *Reaves* \$1,500; *Knowlton* \$500; *Dr. Hagarty* \$250; *F. Fitzgerald* \$600; *John Campbell* \$250; *Scandrett* \$500; *W. J. Thompson* \$100; Alderman *Magee* \$600; Alderman *Partridge, jr.*, \$100; *Hiscox* \$50; and spent himself \$150.

All this money he spent for "Election purposes," not asking the parties for what purposes they wanted it.

Mr. George Harris proved the great intimacy between his brother *Edward* and Respondent, and that he told his brother the Election could not go on without money. *Edward* asked how much, and witness said \$5,000 would do. He (witness) said he would give \$1,000, but he has not paid any.

The Respondent swears positively that he had no knowledge whatever of any advance of moneys by *Harris*: that he never talked of financial matters with *Smallman* or *Reaves*, and had no reason to think that either was spending large sums in his behalf: never talked with *Harris* about money matters connected with the Election: never knew *Smallman* was in communication with *Harris*; and that it is only within the last fortnight he heard of this payment by *Harris*: that he warned his friends not to spend money illegally or commit him: that he never treated, fearing to break the law: that he canvassed very diligently but never heard or knew anything from which he could suspect there was bribery on his side. He had sold stocks to *Mr. Harris* last fall, on which he still holds \$10,000 of his paper unpaid.

Mr. Edward Harris swears that he paid \$4,000 to *Smallman* and \$2,000 to *Reaves* for Election expenses. He had a strong feeling of resentment against *Mr. Carling*, and of friendship for Respondent. He had never before subscribed to an Election beyond \$5 or \$10. On the polling day *Reaves* got the \$2,000. He did not intend to advance over \$4,000, but he got excited. He was very intimate with Respondent: saw him every day during the canvas, but never spoke to him about money then or since the Election; does not think Respondent knew he had paid the money; that he has no claim whatever on Respondent for any of this money and no understanding whatever that he is to be repaid. He says that he never gave a thought how the money was to be expended. He did not go so far in thinking about it as to consider that it would go to buy votes. It was in the atmosphere that much money would be spent on both sides. On polling day