

personally and by his agents, before, during and after the election, guilty of corrupt practices, as defined by the Controverted Elections Act of 1871 and the Elections Act of 1873, whereby the said election had become void. Mr. Bethune opened the case very briefly, stating that it was impossible for him to explain what particular facts he expected to prove by the different witnesses he should call. They all, or nearly all, belonged to the opposite party, and it would have been useless to apply to them for information. He could only say that he hoped to prove that there were corrupt practices, as defined by the statute, and that they were committed by or under the authority of the respondent or by his agents, for whose acts, in these respects, he was answerable; that he fully expected that he should prove that the respondent was put forward as a candidate by the Liberal-Conservative Association in the City of Toronto, on the understanding that he was to be put to no expense, and that he placed himself in their hands, thereby constituting all its members who took part in the election as his agents, and in support of this assertion he read a part of the respondent's deposition. The trial lasted part of two days, during which fifty-five witnesses were examined. I adjourned rather earlier than I had intended, as there was one witness, whose probable importance to the petitioner had only become apparent by the testimony given during the first day; and I thought it better, understanding that no witnesses would be called for the defence, that the testimony in support of the petition should be completed before Mr. Bethune summed up.

At the close of this witness's examination, Mr. Bethune admitted that the charge of bribery was altogether unsustainable, and that he must rest the case upon the allegation of treating. Three cases of treating during the election had been proved. Two of them he would not press, as the fact that the parties who gave the liquor were agents of the respondent was not established; but he contended that the case of Mr. John A. Macdonell was different. There was no