

things essential to success : first, a good cause ; second, proper organization ; third, hard work. The first we have ; the second and third will largely depend on you."

*Held*, that the respondent by these words constituted every delegate who was present his agent, and became responsible for all that was afterwards done by them in organization and work for the purpose of the election.

The respondent requested M., who was at the convention as a delegate, to go with him to a factory and introduce him to the workmen, some of whom were voters. M. did this, and the respondent addressed the workmen on behalf of his candidature. After the meeting was over and the workmen had dispersed, M. asked the foreman to have a drink at a neighbouring inn, which the foreman declined. M. also said that if the workmen who went home in that direction would come over, he would "leave a drink for them there." This conversation was not in the presence of the respondent, nor heard by him. When the men were leaving their work for the day the foreman told them what M. had said, and eight or ten of them called at the inn and got a drink of beer without paying for it.

*Held*, that a charge of treating a meeting assembled to promote the election, under s. 161 of the Ontario Election Act, failed upon this evidence, for the meeting had come to an end before anything was said about the treating, and the men were not told anything about it till nearly three hours afterwards. Nor did the evidence support a charge under s. 162 (1) of corrupt treating of individuals in order to be elected, M. being a customer of the factory and following a previous habit in his intercourse with the men.

Upon a charge of treating a committee meeting held at a hotel, the evidence was that McC., one of the delegates to the convention, brought into the room where the meeting was being held a box of cigars for the use of the members of the committee. He said he did it at the request of the landlord. It was not shewn by whom payment was made.

*Held*, that the charge was not proved, for it is the person at whose expense the treat is supplied, or who pays or engages to pay for it, who alone is guilty of the offence.

The respondent admitted that he had treated on the day of the convention, after the convention was over, several times at at least two hotels, several persons, some of whom might have been electors. He denied, however, that the treating had any relation to the election.

*Held*, that under sub-s. 2 of s. 162 (added by 62 Vict. (2) c. 5, s. 7 (O.)), treating generally or extensively or miscellaneously is only prima facie a corrupt practice. If it be shewn that the treating was not in fact done corruptly in order to be elected or for being elected or for the purpose of corruptly influencing votes, it is no offence any more than it was before the enactment of sub-s. 2. There may still be innocent treating, though if it be general or extensive or miscellaneous the onus of shewing that it is innocent