

confederacy, and agreement between them, the parties in this second count of this information above named, did then and there do and commit the overt acts in the first count of this information, charged as the overt acts by him the said Lynch committed in the said first count as then and there alleged, and to the intents then and there stated to the great damage of the said Robert McKim, James F. Dowling, W. D. Balfour, and Robert A. Lyon, and to the great damage of the peace and welfare of the Province of Ontario, in contempt of our lady the Queen and the said Legislative Assembly, and the laws and Government of the said Province, to the evil example of all others and against the peace of our lady the Queen, her crown, and dignity.

#### THIRD COUNT.

And the said informant further saith that the said Christopher W. Bunting, John A. Wilkinson, Edward Meek, F. S. Kirkland, one Lynch, and other persons whose names are to this informant unknown, being persons of evil minds and dispositions, on the days and times in this information first above mentioned, at the city of Toronto aforesaid, unlawfully and wickedly did conspire, combine, confederate, and agree together to bribe Robert McKim, then being a member of the Legislative Assembly of the Province of Ontario, to implicate him in the proceedings as such at and during the first session of the Fifth Legislature of Ontario to the great damage of the said Robert McKim, in contempt of our lady the Queen and the said Legislative Assembly and the laws of the said Province, to the evil example of all others in the like case offending and against the peace of our lady the Queen, her crown, and dignity.

#### FOURTH COUNT.

And the said informant further saith that the said Christopher W. Bunting, John A. Wilkinson, Edward Meek, F. S. Kirkland, one Lynch, and other persons whose names are to this informant unknown, being persons of evil minds and dispositions, on the days and times in this information first above mentioned at the city of Toronto aforesaid, unlawfully and wickedly did conspire, combine, confederate, and agree together to bribe James F. Dowling then being a member of the Legislative Assembly of Province of Ontario to influence him in his proceedings as such, at and during the first session of the fifth Legislature of Ontario, to the great damage of the said James F. Dowling, in contempt of our Lady the Queen, and the said Legislative Assembly, and the laws of the said Province to the evil example of all others in the like case offending, and against the peace of our Lady the Queen, Her Crown, and dignity.

#### FIFTH COUNT.

And the said informant further saith that the said Christopher W. Bunting, John A. Wilkinson, Edward Meek, F. S. Kirkland, one Lynch, and other persons whose names are to this informant unknown, being persons of evil minds and dispositions, on the days and times in this information first above mentioned at the city of Toronto aforesaid, unlawfully and wickedly did conspire, combine, confederate, and agree together to bribe William D. Balfour, then being a member of the Legislature of the Province of Ontario, to influence him in his proceedings as such, at and during the first session of the fifth Legislature of Ontario, to the great damage of the said Legislative Assembly and the laws of the said Province, to the evil example of all others in the like case offending, and against the peace of our Lady the Queen, her crown, and dignity.

#### SIXTH COUNT.

And the said informant further saith that the said Christopher W. Bunting, John A. Wilkinson, Edward Meek, F. S. Kirkland, one Lynch, and other persons whose names are to this informant unknown, being persons of evil minds and dispositions, on the days and times of this information first above-mentioned at the City of Toronto aforesaid, unlawfully and wickedly did conspire, confederate, and agree together to bribe Robert A. Lyon, then being a member of the Legislative Assembly of the Province of Ontario, to influence him in his proceedings as such at and during the first session of the Fifth Legislature of Ontario to the great damage of the said Robert A. Lyon, in contempt of our Lady the Queen, and said Legislative Assembly, and the laws of the said Province to the evil example of all others in the like case offending, and against the peace of our said Lady the Queen, her Crown, and dignity.

J. W. MURRAY.

Sworn before me at the city of Toronto, in the county of York, the day and year first aforesaid.

(Signed) G. T. DENISON, P. M.

18th March, 1884.

The Magistrate then called upon Mr. Bunting to answer whether he was guilty or not guilty of the charge preferred against him.

Mr. Clark rose on behalf of Mr. Bunting and stated that before pleading he would ask for an adjournment until Friday. He raised the question of jurisdiction of the Police Magistrate, and argued that no offence had been committed under common law, and if any offence had been committed it was an infringement of the privileges of the Provincial Legislature. The charge, he argued, was a general one of endeavouring to bring about the defeat of the Government and not of any one individual member. This being the case, as only a legitimate attempt to overturn the Government had been alleged, he claimed that no offence within the jurisdiction of the court had been shown.

The Police Magistrate—Do you mean to say that the effect of such conduct as alleged in the information, if allowed, would not be to change the whole course of legislation in this Province?

Mr. Clark—It was no more than was done by every member in the House, viz., to get his opponents to vote the same way as he did.

The Magistrate—That is by argument.

Mr. Clark—Could there be a conspiracy to bribe a man to do a lawful act? If so, is it punishable?

The Magistrate enquired what views counsel for the other defendants held upon the question of adjournment.

Mr. Nevil, who appeared on behalf of the

defendant Wilkinson, pointed out that the parties who were really at the bottom of the charge had not come forward and laid information, but that it had been laid by a detective. He stated that this ruse would not shield those implicated in the act of bribery on the other side, as they would be dragged forth before the enquiry was concluded. He contended that under sub-section 3 of section 45 of the Act, under which the information was laid, the person who accepted the bribe, no matter upon what pretence, was equally guilty with the person offering the bribe, and they should therefore be called on to stand their trial upon the charge also.

Dr. McMichael, on behalf of the defendants Meek and Kirkland, said the information was so long and elaborate that he had forgotten the first part of it before the last was reached. So far he had been unable to make head or tail of it. Upon these grounds he asked for an adjournment.

Mr. Fenton, who appeared for the Crown, thought the request was reasonable.

The Magistrate then adjourned the case until Friday.

Mr. Neville—I suppose you will accept bail.

The Magistrate—I am not in a position to say.

Mr. Neville—The Act under which the information is laid only makes the offence a misdemeanour. Bail will be given to any amount you may choose to fix.

The Magistrate—This is a serious charge, and it is not fair to ask me to fix the amount of bail. I know nothing of the merits of the case. No evidence has been offered. Large sums of money appear to have been used or offered in this case. Perhaps the Crown will fix the amount of bail with which they would be satisfied.

Mr. Neville—Name any sum you like.

Mr. Fenton—I am not going to fix the price of our Legislature. It is not fair to ask me to do so. I object to any bail being granted.

Mr. Neville—There is not the slightest suspicion in the mind of any gentleman present that either of these gentlemen would fail to appear on Friday, or upon any other day when they were directed to do so.

The Magistrate—I don't know about that. One man has skipped already. I don't feel disposed to fix the amount of bail. If Mr. Fenton consents to fix the amount of bail I will accept it.

Mr. Neville—We will give twenty thousand dollars bail.

Mr. Fenton—No.

Mr. Neville—Forty thousand, fifty thousand, any amount you like.

Mr. Fenton—Not fifty, a hundred thousand, or a million dollars bail will I agree to.

The Magistrate—If this charge is true it is unprecedented in English history.

Mr. Neville—It looks as if the whole affair were a political dodge. The case as it stands at present is that you have refused to accept bail for two perfectly responsible parties who are charged only upon the "information and belief" of a man calling himself a detective. I'll say this, that Mr. Wilkinson instructs me that there is not an item of truth in the whole charge. (Laughter.)

Mr. Fenton—Well, he ought to know. (Renewed laughter.)

The Magistrate—As there is nothing else to be said I will adjourn the case until Friday.

The prisoners were then removed to the detectives' room, where they were visited by a number of friends, and were afterwards removed to the gaol in the prison van.

#### BEHIND THE BARS.

A GLOBE reporter having obtained permission from the proper authorities visited the gaol in the afternoon. The two prisoners, Kirkland and Wilkinson, had been placed in a room near the gaoler's office until cells could be prepared for them in the already overcrowded gaol. The two were found pacing the apartment uneasily, and apparently feel their humiliating position keenly. Governor Green informed them of the visit of the reporter, but they both replied positively refusing to be interviewed, saying that they had no statement to make regarding the case. At sundown they were placed in separate cells for the night, in accordance with the rules of the gaol. They receive the same treatment and fare as other prisoners in the institution. Although left together in the cell the greater part of the afternoon, they held but little conversation with each other, each being apparently too fully occupied with his own thoughts to care about conversing.