

PRESENT :

MR. JUSTICE JOHNSON.

The Court having heard the parties by their Counsel, having seen and examined the said Petition and the answer thereto by the said Respondent, having heard the evidence given in open Court in the presence of the said Judge, of which the notes are duly of record, and on the whole having deliberated, doth adjudge and determine that the said *Lemuel Cushing*, the Younger, the said Respondent, whose Election and Return are complained of in and by the said Petition, was not duly elected or returned, and that his Election and Return were and are wholly void and null on the ground of bribery and corrupt practices by Agents both with and without the actual knowledge and consent of the said *Lemuel Cushing*, the Younger; and doth further adjudge and determine that during the seven years next after the date of this judgment, the said *Lemuel Cushing*, the Younger, be incapable of being elected to, and of sitting in the House of Commons, and of voting at any Election of a Member of said House, or of holding an office in the nomination of the Crown or of the Governor in Canada, and doth further adjudge and order that the said *Lemuel Cushing*, the Younger, do pay to the said Petitioners their costs.

By Court, true copy.

JULES R. BERTHELOT,
P. S. C.

We, the undersigned Prothonotary for the District of Montreal, of the Superior Court for Lower Canada, do hereby certify the foregoing to be a true copy of the judgment rendered in the above cause on the twenty-first day of July one thousand eight hundred and seventy-five.

Given at Montreal this fifth day of November one thousand eight hundred and seventy-five.

HUBERT PAPINEAU & HONEY,
P. S. C.

Dominion of Canada, }
District of Montreal, }
Court of Review, }
Montreal. }

THE DOMINION CONTROVERTED ELECTIONS ACT, 1874.

Electoral District of Argenteuil.

Friday, the 5th day of November, one thousand eight hundred seventy-five.

PRESENT :

THE HONORABLE MR. JUSTICE MACKAY.
" " TORRANCE.
" " BEAUDRY.

No. 1.

THOMAS OWENS, *et. al.*,*Petitioners;*

AND

LEMUEL CUSHING, the Younger,

Respondent.

The Court hereby certifies its determination to the Honorable Speaker of the House of Commons by the copies of Judgment hereunto annexed.

And the Court further reports that at the trial, before the Honorable Mr. Justice *Johnson* bribery and corrupt practices were proved to have been committed at and during the Election, to wit, of November eighteen hundred and seventy-four, by Agents of the said *Lemuel Cushing* Junior, the Candidate, afterwards Respondent, some with his actual knowledge and consent and some without. The nature of the bribery and corrupt practices of his Agents, committed with the actual knowledge and consent of the Respondent was the payment corruptly by them, in October and November, eighteen hundred and seventy-four, of illegal and corrupt debts and expenses contracted by them during the Election of January eighteen hundred and seventy-four to promote that Election, at which the said *Lemuel Cushing*, the younger, was a Candidate, of which payments, while they were being made, and of the character of the debts and expenses the cause of them, the Respondent personally was aware;

The following persons have been proved, at the trial, to have been guilty of corrupt practices at the Election annulled by the Judgment referred to of Mr. Justice *Johnson*:—*James Cushing*, *Robert Meikle*, *Thomas C. Noyes*, *Alexander Beaton*;

Corrupt practices have not been proved to have extensively prevailed at the Election referred to of November, eighteen hundred and seventy-four; this Election was conducted much more honestly than the