

ELECTION CASES.

Garrow, J. A.] IN RE VOTERS' LISTS OF HUNGERFORD. [Jan. 2.

*Parliamentary elections—Voters' lists—Notice of appeal—Leaving at clerk's residence.*

The language of R.S.O. 1897, c. 7, s. 17, sub-s. 1, "give to the clerk or leave for him at his residence or place of business" notice in writing, etc., means, when the notice is not personally given to the clerk, that it is to be left for him at his residence or place of business in such a place or under such circumstances as to raise a reasonable presumption that it reached his hands within the time allowed by the statute.

And where, between 9 and 10 o'clock of the evening of the last day for serving notices of appeal, certain notices were left on the outside knob of one of two doors of the clerk's dwelling house, by a person who first knocked but received no response, and such notices did not come to the knowledge of the clerk till about noon the next day, the service was held insufficient.

*W. B. Northrup*, K.C., for persons opposing the service.

Street, J., Britton, J.]

[Jan. 22.

IN RE SOUTH OXFORD PROVINCIAL ELECTION.

*McKAY v. SUTHERLAND.*

*Parliamentary elections—Controverted election—Appeal—Settlement of case.*

No machinery has been provided by the Ontario Controverted Elections Act or by the rules for the settlement of a case upon an appeal to the Court of Appeal from the judgment upon the trial of a petition under the Act. The trial Judges can give no direction as to the evidence to be submitted to the Court.

*Seemle*, that either party may treat the whole of the evidence taken at the trial as being before the Court of Appeal.

*Watson*, K.C., for petitioner. *S. H. Blake*, K.C., and *E. N. Armour*, for respondent.

FOURTH DIVISION COURT COUNTY OF RENFREW.

Burritt, Dep. Co. J.] *ARNPRIOR v. BRADLEY.*

[Sept. 22, 1902.

Deacon, Co. J.] *MICHIGAN LAND & LUMBER CO.*

[Nov. 7, 1902.

*Public Health Act—Solicitors' lien.*

Action by municipality to recover expenses incurred in providing medical attendance and necessities for a smallpox patient from such