

*In the Supreme Court of Canada.*

MONDAY, the 27th day of February, 1888.

PRESENT :

The Honourable Sir *William Johnstone Ritchie*, Knight, Chief Justice,  
do Mr. Justice *Strong*,  
do Mr. Justice *Fournier*,  
do Mr. Justice *Henry*,  
do Mr. Justice *Taschereau*,  
do Mr. Justice *Gwynne*.

THE DOMINION CONTROVERTED ELECTIONS ACT.

Election of a Member of the House of Commons of *Canada* for the Electoral District of *L'Assomption*, holden on the 15th and 22nd days of February, in the year of our Lord 1887.

Between

JOSEPH GAUTHIER,

(*Respondent in the Court below*), *Appellant* ;

and

JOSEPH EDWARD BÉDARD NORMANEAU,

(*Petitioner in the Court below*), *Respondent*.

The appeal of the above named Appellant, *Joseph Gauthier*, from the judgment of the Honourable Mr. Justice *Taschereau*, one of the Justices of the Superior Court for *Lower Canada*, sitting for the District of *Joliette*, rendered in the above cause, on the twentieth day of December, in the year of Our Lord one thousand eight hundred and eighty-seven, which said judgment is in the words and figures following, that is to say :—

(*Translation.*)

“Tuesday, the twentieth day of December, one thousand eight hundred and eighty-seven.

PRESENT :

The Honourable *Henri T. Taschereau*, J.S.C.

JOSEPH BÉDARD NORMANDEAU, Captain of Militia,  
of the Village of *L'Assomption*, in the Judicial District of *Joliette*,

*Petitioner* ;

*v.s.*

JOSEPH GAUTHIER, Merchant, of the Town of *Laurentides*, in the said district, elected Member of the House of Commons of *Canada* for the Electoral District of *L'Assomption*,

*Respondent*.

“The Court, after hearing the parties by their Counsel, on Respondent's motion asking, on the grounds and for the reasons therein mentioned, that the trial of the election petition in this case be not proceeded with, that the Petitioner be declared to have forfeited his right to proceed therewith, and that the said election petition be declared abandoned, prescribed and annulled, and that the same be rejected and dis-