

Petitioner had studied how to ignore the authority of this Court in the premises he could not more effectually have accomplished his object.

The Dominion of Canada,
Province of Nova Scotia, }
To Wit :

are omitted altogether in the petition and their place is not supplied by any words giving similar information. The statement is pertinent, and was not required by the rules from any unmeaning caprice. A correct form of the petition in my judgment would have been as follows:—

IN THE ELECTION COURT.

Dominion of Canada,
Province of Nova Scotia, }
County of Hants, }
To Wit :

“The Controverted Elections Act, 1873.”

Election of a member for the House of Commons for the electoral district of Hants, holden, &c.

The above order need not have been followed nor the same phraseology used, but the same amount of information ought in some form or other to have been conveyed and cannot be dispensed with. The election is referred to as the said election and there are no words to which “said” can refer except election for the County of Hants. These objections I cannot hold to be merely formal ones, and my remarks on the Pieton Election applying with equal force to this case. I need not here take up time by repeating them, but they are to be considered as forming part of my judgment in the case. In my opinion the petition is so faulty that it cannot be proceeded with in its present shape.

ALEX. JAMES, Esq., Q.C., for the reasons given in his decisions in the Pieton and Inverness cases, concurred in the opinion of the President of the Court; and in accordance with the judgment of the majority, an order passed overruling the preliminary objections. Question of costs reserved.