

SCOTT J.] RE BANFF ELECTION, BRETT v. SIFTON. [Oct. 30 1899.

*Controverted Election Ordinance—Time for particulars—Jurisdiction of Judge to extend.*

Sec. 10 of the Controverted Election Ordinance provides that the respondent may at any time within twenty days of the service of the petition upon him, apply to a judge to set aside the petition, upon certain grounds specified in that section. Sec. 11 provides that the respondent, "may at any time within twenty days after the service of the petition upon him (unless he makes an application under the last preceding section and if he does then within five days after such application is disposed off if it is refused or dismissed) apply to the judge for particulars or for further and better particulars of the facts and grounds relied on to sustain the prayer of the petition." The respondent made an application, within the twenty days after service, to set aside the petition on the ground that it was not signed by the petitioner which ground was not included in those specified in s. 10.

His application was dismissed by the judge and he appealed to the Court en Banc. He then, pending the appeal, applied for a stay of all proceedings pending the decision of the appeal and for an order that the time for applying for an order for particulars be extended until ten days after the decision of the appeal.

Sec. 18 of the Ordinance provides that "the petition and all the proceedings thereunder shall be deemed to be a cause in the court and all the provisions in the Judicature Ordinance so far as they are applicable and not inconsistent with the provisions of this Ordinance shall be applicable to such petition and proceedings."

Sec. 548 of the Judicature Ordinance provides that "the court or a judge shall have power to enlarge or abridge the time appointed by the Ordinance or rule of court for doing any act or taking any proceeding."

*Held*, that he had jurisdiction by virtue of the provisions of s. 18 and s. 548 above set forth, to direct a stay of proceedings and enlarge the time for applying for particulars and the proceedings were stayed and the time enlarged accordingly.

*McCarthy* Q.C., for respondent. *R. B. Bennett*, for petitioner.

Rouleau, J.] MACDONALD v. TOWN OF EDMONTON. [Jan. 10.

*Municipal taxation—Exemption—Property leased to the Crown.*

The plaintiff was owner in fee of certain lots in the town of Edmonton, which, with the buildings thereon, had been leased to the Government of Canada, through the Commissioner of the North-West Mounted Police, and were used as a barracks for that force at the Edmonton post. The