

Elec. Cases.] MONCK ELECTION—GLENGARRY ELECTION PETITION (DOMINION) [Ontario.

Edgar. Dunnville, No. 1. McCallum.

- 1 A single stroke, disallowed ; a double cross, allowed.

Gainsboro', No. 2.

- One cross not to the right hand of name, disallowed ; a ballot paper inadvertently torn, allowed. 1
- 2 Two with a cross not to the right hand of name, disallowed ; one ballot paper inadvertently torn, allowed ; one with a cross properly placed, but with an obliterated mark in the McCallum column, allowed.

Gainsboro', No. 1.

- One cross not to the right hand of the name, disallowed ; one with a mark on the cross, allowed ; 1
- 2 two with single strokes, disallowed ; two with a cross to the left hand of the name, disallowed ; 2
- one ballot paper torn, allowed.

Dunnville, No. 2.

Two crosses opposite the name, allowed.

Pelham, No. 1.

- Two crosses opposite name, allowed ; an erased mark opposite Edgar's name, in addition to a cross opposite McCallum's name, allowed ; one single stroke, disallowed. 1

Wainfleet, No. 1.

Two with a cross not to the right hand of the name, and an additional mark, disallowed. 2

Gainsboro', No. 4.

One ballot paper inadvertently torn, allowed ; one with an inadvertent mark under the cross, allowed.

Caistor, No. 1.

An inadvertent pencil mark, allowed ; a ballot paper inadvertently torn, allowed.

Caistor, No. 3.

Four ballot papers inadvertently torn, allowed.

Pelham, No. 2.

An inadvertent additional mark, allowed.

Edgar. Canboro, No. 1. McCallum.

- A ballot paper inadvertently torn, allowed ; an inadvertent additional pencil mark, allowed ; four marked with pen in place of pencil, allowed ; two with single lines in place of crosses, disallowed ; one ink cross blotted, allowed. 2

Canboro, No. 2.

- One cross not to right hand of name, disallowed ; one, not a cross—a circle with two lines underneath—disallowed ; one with a cross in the proper place and a second cross erased, allowed. 1

Dunnville, No. 1.

One inadvertent additional pencil mark, allowed ; four ballot papers inadvertently torn, allowed.

Caistor, No. 3.

One cross to the right of the name in small letters, allowed. —

19

18

This disposes of all the objections made ; and deducting the votes disallowed Edgar (19) from the votes allowed (1,333), would leave the number of votes polled for him 1,314 ; and deducting in like manner the votes disallowed McCallum (18) from the votes allowed him (1,336) would leave the number of votes polled for him 1,318. This would give him, as the result of the investigation, a majority of 4 votes, and he is therefore entitled to retain the seat. I have therefore to declare that Mr. McCallum has been duly elected and returned, and I shall certify that to the Speaker.

Election sustained.

GLENGARRY ELECTION PETITION (DOMINION).

JOHN RONALD McDONALD, *Petitioner*, v. ARCHIBALD McNAB, *Respondent*.

Application to postpone trial—38 Vict., cap. 10, sec. 2.

The trial of an election petition should not be postponed without the applicant shewing very cogent and almost unanswerable grounds.

In this case the reason given was that the Lieutenant-Governor of Ontario was a necessary and material witness, and that he could not properly leave Toronto during the sittings of the House of Assembly. *Held*, not a sufficient reason.