

L. R. 14 Eq. 184, Ramsden v. Brearley, 33 L. T. N. S. 322, and Bank v. Harris, 84 N. Car. 206, also referred to. The plaintiffs are entitled to the fullest discovery of the matters in question. The questions asked should have been answered, whether other questions relating to other matters referred to in the statement of claim should or should not be answered. It is of the utmost importance that the dealings of the parties in connection with the lands described and the buildings, machinery, etc., being erected thereon, should be fully investigated if they are to succeed in proving the allegations contained in the statement of claim. This is not an action for an account, as that term is usually understood, and therefore Graham v. Temperance and General Life Assurance Co., 16 P. R. 536, is not applicable. It is the usual creditors' suit brought under 13 Eliz. ch. 5, and the fullest discovery is always allowed where fraud is charged. The discovery as to the buildings and machinery must necessarily have a bearing on the question as to the ownership of the land upon which they are being erected, and which is attacked by plaintiffs.

Order made as asked for attendance of defendants George and Sarah Sleeman for re-examination. Costs of application to plaintiffs as against these defendants in any event. Order made allowing plaintiffs to amend their statement of claim. Costs of amendment to be costs in the cause.

MEREDITH, C.J.

FEBRUARY 13TH, 1903.

CHAMBERS.

REX EX REL. WARR v. WALSH.

Municipal Elections — Hour of Nomination — Councillors Elected by Acclamation — Power of Council of Town to Pass By-law Changing Hour — Construction of Statutes.

Appeal by defendants from order of Master in Chambers (ante 108), setting aside the election of the appellants as councillors for the town of Brampton, and directing a new election upon the ground that the nomination of candidates which resulted in the election of the appellants by acclamation took place at ten o'clock in the forenoon, and not at noon.

T. J. Blain, Brampton, and D. O. Cameron, for appellants.
E. G. Graham, Brampton, for relator.

MEREDITH, C.J.—In each of the years from 1898 to 1902 (inclusive) the municipal council of the town of Brampton provided by by-law that the nomination for councillors should be held at the same time and place as the nomination for mayor, that hour being ten o'clock in the forenoon, and this