

was insufficient to make the case appealable. R. S. C. ch. 135, s. 29.

Appeal quashed with costs.

*Belcourt* for respondents,

*Brousseau* for appellants.

Quebec.]

OTTAWA, May 9, 1892.

#### PONTIAC CONTROVERTED ELECTION.

*Election Petition—Judgment—R.S.C., c. 9, s. 43—Enlargement of time for commencement of trial—R.S.C. c. 9, s. 33—Notice of Trial—Shorthand Writer's Notes—Appeal—R.S.C. c. 9, s. 50 (b).*

In the Pontiac election case the judgment appealed from did not contain any special findings of fact or any statement that any of the 20,000 charges mentioned in the particulars were found proved, but stated generally that corrupt acts had been committed by the respondent's agents without his knowledge, and declared that he had not been duly elected, and that the election was void. On an appeal to the Supreme Court on the ground that the judgment was too general and vague :

*Held*, that the general finding that corrupt acts had been proved was a sufficient compliance with the terms of the Statute 49 Vic. c. 9, s. 43.

On the 10th October, 1891, the judge in this case, within six months after the filing of the election petition by order enlarged the time for the commencement of the trial to the 4th November, the six months expiring on the 18th October. On the 19th October, another order was made by the judge fixing the date of the trial for the 4th November, 1891, and the respondent objected to the jurisdiction of the Court.

*Held*, that the orders made were valid, ss. 31, 38, ch. 9, R.S.C.

*Held*, also, 1, that the objection to the insufficiency of the notice of trial given in this case under sec. 31 of ch. 9, R.S.C., was not an objection which could be relied on in an appeal under sec. 50 (b) of ch. 9, R.S.C.

2. That evidence taken by a shorthand writer not an official stenographer of the Court, but who has been sworn and appointed by the judge, need not be read over to the witnesses when extended.

*O'Gara, Q. C., & Ayles*, for appellant.

*MacDougall*, for respondent.