

number of persons that to void the election would, in effect, amount to allowing him to take advantage of his own wrong, we might be impelled to take a different view of this matter. But the number, 13, related to the total number of persons who voted unlawfully could not affect the result and we cannot hold that these actions on the part of the petitioner's agents created an estoppel or precluded him from raising the objections we have given effect to.

We must also reject Mr. Lewis' argument that the peculiar circumstances and customs of the Yukon entitle its inhabitants to disregard the laws relating to elections.

The election is declared void.

The order as to costs is this: that the petitioner tax his costs, except those relating to witnesses who gave evidence in relation to Indian voters, and that the respondent pay to the petitioner three-quarters of the costs so taxed.

(sgd.) J. E. GIBBEN,
(sgd.) J. O. WILSON,

October 11th, 1957.

YUKON TERRITORIAL COURT
DAWSON

Neilson vs. Simmons

Counsel have perused the particulars pleaded, and agree that the evidence relating to eight persons, viz. Mr. and Mrs. Carlyle, Mr. and Mrs. Carr, Billy Evans, Mr. Gerlitsky, Louis Duchemin, Frank Peters is before the Court. A check of the poll books also shows one resident of Vancouver, Alec Nicol, not included in the eight persons above noted.

Counsel agree that 209 people whose names did not appear on the list for the poll in which they voted were not resident in the polls where they voted; that a further 68 people whose names did not appear on the list for the poll in which they voted were not vouched for by anyone and that a further 188 people whose names did not appear on the list for the poll in which they voted were vouched for by persons not on the list in the poll concerned.

Of the 209 persons non-resident mentioned above an undetermined number were not vouched for or were vouched for by persons not on the list in the poll concerned.

RESPECTFULLY SUBMITTED at Whitehorse, Y.T. this 10th of October, 1957.

(sgd.) Of Counsel for Petitioner,

(sgd.) Of Counsel for Respondent.

Mr. Speaker informed the House that in conformity with section 69 of the Dominion Controverted Elections Act, chapter 87, Revised Statutes of Canada, 1952, he had issued his Warrant to the Chief Electoral Officer to make out a new Writ of Election for the said Electoral District of Yukon.

Mr. Fleming, a Member of the Queen's Privy Council, laid before the House,—Copy of a communiqué, dated October 1, 1957, relating to the meeting of Commonwealth Finance Ministers held at Mont Tremblant, Quebec, in September and October, 1957.