

*Held*, GWYNNE, J., dissenting, that the "loom fixer" had not performed his duty properly; that the evidence as to negligence could not have been withdrawn from the jury; and that though the mill was well equipped, as the jury had found the accident due to negligence, there being evidence to justify such finding, the verdict should stand.

*Held*, per GWYNNE, J., that the finding of the jury that the negligence consisted in the omission to examine the bolt was not satisfactory as there was nothing to show that such examination could have prevented the accident and there should be a new trial.

Appeal dismissed with costs.

*Martin*, Q.C., for the appellants.

*Tate*, for the respondent.

Nova Scotia.]

LUNENBURG ELECTION CASE.

[March 24.

KAULBACH v. SPERRY.

*Election petition—Preliminary objections—Affidavit of petitioner—Bona fides—Examination of deponent—Form of petition—R.S.C., c. 9—54 & 55 Vict., c. 20, s. 3.*

By 54 & 55 Vict., c. 20, s. 3, amending the Controverted Elections Act (R.S.C., c. 9), an election petition must be accompanied by an affidavit of the petitioner "that he has good reason to believe, and verily does believe, that the several allegations contained in the said petition are true." The petitioner in this case used the exact words of the act in his affidavit.

*Held*, that the respondent to the petition was not entitled to examine him as to the grounds of his belief; that the act made the deponent the judge of the reasonableness of such grounds; and that the affidavit was not part of the proof to be passed upon at the trial of the petition.

It is not necessary that the petition should be identified in the affidavit as in case of an exhibit. The affidavit is presented merely to comply with the statute.

It is no objection to an election petition that it is too general, no form being prescribed by the Act. Moreover, the inconvenience may be obviated by particulars.

*W. A. B. Ritchie*, Q.C., for appellant.

*Russell*, Q.C., and *Congdon*, for respondent.

Prince Edward Island.]

WEST PRINCE (P.E.I.) ELECTION CASE.

[March 24.

HACKETT v. LARKIN.

*Controverted election—Corrupt treating—Agency—Trivial and unimportant act—54 & 55 Vict., c. 20, s. 19.*

During an election for the House of Commons, a candidate took C., a supporter, with him in driving out to canvass a particular locality. They stopped at a house where three voters lived, and C. took a bottle of liquor out of the wagon and went into the woods with two of the voters, and remained