

Que.]

ST. ANN'S ELECTION CASE.

[Oct. 11.]

*Controverted election—Personal corruption—Charge in petition
—Judge's report—Adjudication—Amendment—Evidence.*

On a charge of personal corruption by the respondent, if the adjudication by the trial judges does not contain a formal finding of such corruption this Court may insert it if the recitals and reasons given by the judges warrant it.

Respondent, the night before the election, took a sum of over \$4,000 and divided it into several parcels of sums ranging from \$250 to \$1,500. He then, after midnight, visited all its committee rooms and gave to the chairman of each committee, personally and secretly, one of such parcels. His financial agent had no knowledge of this distribution, and no evidence was produced of the application of the money to legitimate objects.

Held, that the inference was irresistible that the money was intended for corruption of the electors and respondent was properly held guilty of personal corruption.

Allegations in the petition that respondent had himself given and procured, undertook to give and procure, money and value to electors and others named his agents, to induce them to favour his election and vote for him for the purpose of having such monies and value employed in corrupt practices, were sufficient to cover the offence of which the respondent was found guilty.

E. F. B. Johnston, K.C. and *Perron, K.C.*, for appellant.
Bisaillon, K.C., and *Carmichael* for respondent.

EXCHEQUER COURT.

Burbidge, J.]

[June 30.]

CANADIAN PACIFIC RY. CO. v. THE KING.

Canal bridge—Agreement between Crown and company as to construction—Liability for maintenance and operation of bridge.

In 1882, the O. & Q. Ry. Co., the suppliants' predecessor in title, applied to the Minister of Railways and Canals for leave to construct a railway bridge across the Otonabee River, in the town of Peterborough, undertaking at the same time to construct