

ing Officers." As I read the section referred to, it appears to be implied that my return should be based upon the certificate of the Judge.

If I could ignore the certificate altogether and treat the matter as if no re-count had been ordered, and fall back upon what is directed had the proceedings before the Judge not intervened, I presume I might then return as elected, the candidate whom I declared on the day of my declaration as having the majority of votes.

By kindly giving me your views as to what I should do under the circumstances I shall, besides being thankful, endeavor to act in accordance therewith.

I have the honor to be,
Your obedient servant,

(Signed) J. P. MACMILLAN

R. POPE, Esq.,
Clerk of the Crown in Chancery,
Ottawa.

COUNTY OF WELLINGTON, }
To Wit: }

Dominion Election for the House of Commons of Canada, for the Electoral District for the Centre Riding of the County of Wellington, held on the seventeenth day of September, A. D. 1878,—and,

In the matter of the re-count of the ballot papers and votes of the said election.

Having been attended by counsel or agents for the applicant, and for George Turner Orton, and in their presence proceeded in the matter of the said re-count, and the ballot papers not being properly certified or brought before me, I report to you that I have not been able to re-count the votes or ballots of the said election, nor to verify nor correct nor rectify the count of the ballots and the statement of the number of votes given for each candidate.

Dated this second day of December, A. D. 1878.

(Signed) A. C. CHADWICK,
Jr. Judge, County of Wellington.

TO JOHN PETER MACMILLAN,
Returning Officer at the said Election.

GUELPH, 3rd February, 1879.

DEAR SIR,—In reply to yours of the 31st ult., in relation to the election for the Centre Riding of Wellington, I beg to say that there is a Rule pending since last term, returnable in the present one, which begins to-day, calling upon His Honor the Junior Judge of the County Court here to show cause why a mandamus should not issue to proceed with a re-count of the ballots.

Having received due notice of this Rule, I did not see my way clear to make my return.

It is probable the Rule referred to will be argued either to-day or to-morrow. I hope that it will result in enabling me to make the return yet before the meeting of Parliament.

I have the honor to be,
Your obedient servant,

(Signed) J. P. MACMILLAN.

R. POPE, Esq.,
Clerk of the Crown in Chancery,
Ottawa.