

We, John F. L. Embury and Philip Edward MacKenzie, two of the Justices of His Majesty's Court of King's Bench for the Province of Saskatchewan duly appointed for the trial of the above Petition, hereby certify:

1. That we sat for such trial at the City of Moose Jaw, in the Province of Saskatchewan, upon the fifth, twenty-fifth and twenty-sixth days of September, A.D. 1922, when we adjourned by consent of counsel for all parties to consider our determination upon such petition.

2. That on the sixth day of October, 1922, we delivered in open Court at the said City of Moose Jaw our determination, of which a true copy is to be found in the determination or judgment hereto appended.

3. That a copy of the transcript of the official shorthand writer's notes of evidence taken at the above trial is also hereto appended.

4. We also report:

(a) That as appears by the above determination certain corrupt practices have been proved to have been committed by and with the knowledge and consent of Robert Milton Johnson, a candidate at the above election, and that the nature of such corrupt practices are:

(1) That after payment of certain of his election expenses had been made with his personal approval, otherwise than by or through his official agent, the said candidate caused it to appear in his official agent's return, contrary to the said fact, that the payment of all his election expenses had been authorized by his official agent, and subsequently said candidate knowingly made a false declaration by stating said return to be correct, contrary to subsection 9 of Section 79 of the Dominion Elections Act.

(2) That after making two payments in respect of his election expenses through his official agent, the said candidate caused the same to be omitted from his official agent's return, and subsequently knowingly made a false declaration by stating that he had made no payments of election expenses, except those appearing from such return, and that he had paid his said official agent \$677 and no more to defray election expenses incurred on his behalf, contrary to subsection 9 of section 79 of the Dominion Elections Act.

(b) That Frank McRitchie, the Official Agent of the said candidate at such election, was also a party to and so guilty of the above corrupt practices.

(c) That there is no reason to believe that corrupt practices have extensively prevailed at the election to which the above petition relates.

(d) That we are not of the opinion that the inquiry into the circumstances of the said election has been rendered incomplete by the action of any of the parties to the petition, or that further inquiry as to whether corrupt practices have extensively prevailed is desirable.

(e) That other than our findings set forth in the above determination we have no special report to make to the Speaker as to any matters arising in the course of the trial, an account of which ought, in our judgment, to be submitted to the House of Commons.

Dated at Regina, this 23rd day of October, A.D. 1922.

J. F. L. EMBURY,

P. E. MACKENZIE,

*Justices of the Court of King's Bench.*

To the Supreme Court of Canada, Ottawa.