

IN THE ELECTION COURT.

Quebec Division.

The Seventh day of January, one thousand eight hundred and seventy-five.

PRESENT :

The Honorable Mr. Justice STUART.
 “ “ CASAULT.
 “ “ TESSIER.

Election Petition of the Electoral District of Gaspé.

HORATIO LEBOUTILLIER, *Petitioner,*
 AND
 LOUIS GEORGES HARPER, *Respondent.*

No. 19.

The Court having maturely deliberated upon the Reserved Questions submitted by the Honorable Mr. Justice *McCord*—to the first Question,—determines:—

That *Louis Georges Harpe*, Esquire, was the Returning Officer of the Electoral Division of *Gaspé* at the time of the Election and was therefore incapable of being elected to serve in Parliament for that Division.

To the second Question determines:—That the Respondent was Returning Officer *de jure*, but by his refusal to continue to act as Returning Officer, the Election Clerk was competent to act as Returning Officer *de facto*.

Judge *Stuart* dissenting as to answer to second Question.

True Copy,

FISER, BURROUGHS & CAMPBELL,
 C. E. C.

To the Honorable
 The Speaker of the House of Commons.

CENTRE TORONTO CONTROVERTED ELECTION.

Toronto, 12th April, 1875.

SIR,—In pursuance of the *Controverted Elections Act of 1873*, I beg to certify to you in relation to the Election for the Electoral District of *Centre Toronto*, held on the 22nd and 29th days of January, 1874, that a Petition was duly presented under the said Statute against the Return of *Robert Wilkes*, Esquire, as Member to represent the Electoral District of *Centre Toronto* in the Parliament of the Dominion of Canada—that the Trial of such Petition came on before me, one of the Election Judges, at the Court House in the *City of Toronto*, on the 24th of February last, and was by me adjourned on that day until the 6th of April last.