
CONTROVERTED ELECTION FOR THE ELECTORAL DISTRICT OF L'ASSOMPTION.

1892

*May 10.

JOSEPH GAUTHIER (RESPONDENT).....APPELLANT ;

AND

ALBERT BRIEN (PETITIONER).....RESPONDENT

Election appeal—Discontinuance—Effect of—Practice—Certificate of registrar—New writ.

APPEAL from the decision of the Superior Court for Lower Canada.

By a judgment of the Superior Court in the Controverted Election for the Electoral District of L'Assomption, the appellant was unseated by reason of corrupt acts committed by agents, and upon an appeal being taken by him to the Supreme Court the case was inscribed for hearing for the May sessions for 1892. When the appeal was called, no one appearing for the

* PRESENT :—Sir W. J. Ritchie C.J., and Strong, Taschereau, Gwynne and Patterson JJ.

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appellant, counsel for respondent stated that he had been served by appellant's solicitor with a notice of discontinuance, and the Supreme Court ordered that the appeal be struck off the list of appeals.

The notice of discontinuance having been filed in the registrar's office, the registrar certified to the Speaker of the House of Commons that by reason of such discontinuance the decision of the trial judges and their report, were and are left unaffected by the proceedings taken in the Supreme Court. The Speaker subsequently issued a new writ for the Electoral District of L'Assomption.

Appeal discontinued.

Code for respondent.
