

In addition to 63 on the tops of the pages added to.

This still leaves him 38 names if his grounds of attack are all valid.

The case of attempted withdrawals is governed by *Re Keeling and Township of Brant*, ante 324, a decision of my brother Sutherland, with which I entirely agree.

The signatures on page 15 are objected to, because the heading of the petition refers to "the license year beginning 1st May, 1912." The heading is typewritten except the figures "1912," which are inserted after the word May (at the end of a line) in ink. I am asked to assume that this was inserted after signature. I decline to do so. One witness says he does not know who wrote it and does not know if it is in his handwriting. This is all the evidence.

The signatures on page 40 are objected to, because the other 39 pages were handed in at one time to the clerk, and this was handed in a little later. It is contended that this makes it a separate petition. What has already been said covers this.

Assuming success in all other cases, this will not avail the plaintiff, as this leaves the petition a substantial margin; and I, therefore, refrain from investigating the other matters.

I may point out that the applicant states that the names on the list are 3,783, and admits that there are many duplicates. So he starts from too favourable a standpoint.

There are other objections which may be noticed. "Some considerable number of petitioners signed on Sunday." I do not know why this should invalidate the petition—no cases were cited and no reasons alleged.

One Carter signed the petition. He is a member of the council. It is said this indicates such a bias as to prevent him thereafter acting as a councillor and to render void corporate action, even though purely formal in its character, as the council has no discretion, but must submit the by-law on receiving a petition.

Very many cases were cited, but none in any way justify this extraordinary proposition.

Then it is said that one alderman was not present at the special meeting at which the by-law received its preliminary reading. He was in fact absent from the Province, and from this I am asked to infer that the meeting was not duly called. I cannot do so.

In one of the publications of the by-law there was a clerical error—the word "days" being substituted for "years." This was no error in the by-law itself. I cannot grant an injunction for a printer's slip of this kind. No one was misled.