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REPORTS AND NOTES OF CASES.

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Dominion of Canada.

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SUPREME COURT.

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Ont.] IN RE WEST LORNE SCRUTINY. [Feb. 13.

*Election law—Vote on municipal by-law—Scrutiny—Powers of judge—Inquiry into qualification of voter—Disposition of rejected ballots—Ontario Municipal Act, 1903, ss. 369 et seq.—Voters' Lists Act, 1907, s. 24.*

A County Court judge holding a scrutiny of the ballot papers deposited in a vote on a municipal by-law may go behind the voters' list and inquire if a tenant whose name is placed thereon has the residential qualification entitling him to vote. Davies and Brodeur JJ. dissenting.

The judge has no power to inquire whether rejected ballots were cast for or against the by-law.

Ballots rejected on a scrutiny must be deducted from the total number of votes cast in favour of the by-law.

The Supreme Court affirmed the decision of the Court of Appeal, 26 O.L.R. 339, reversing the judgment of a Divisional Court, 25 O.L.R. 267, which reversed the decision at the hearing, 23 O.L.R. 598.

Appeal dismissed with costs.

Raney, K.C., for appellant. C. St. Clair Leitch, for respondent.

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N.S.] NOVA SCOTIA CAR WORKS V. HALIFAX. [Feb. 18.

*Municipal corporation—Exemption of industry from taxation—Special assessment—Local improvement.*

By agreement with the City of Halifax, sanctioned by an Act of the legislature, a company doing business in the city was granted for a certain period "a total exemption from taxation" except for water rates.

*Held*, reversing the judgment of the Supreme Court of Nova Scotia, 45 N.S. Rep. 552, Fitzpatrick, C.J., dissenting, that a special assessment for a proportionate part of the cost of a public sewer, claimed to be chargeable against the lands of the company