

one ward, and the question is whether that privilege is general or confined to a special class of by-law. The language, read, as it should be, in the light of the context, shews that the ratepayer spoken of there is the ratepayer referred to in the two preceding sections, and the case dealt with is that of voting on a by-law for contracting a debt, while its grouping with the sections immediately preceding and following shew that it was the intention to confine it to that case. So confining it does not interfere with the right of other electors to exercise their franchise in the manner and according to the other provisions of the Act in every case in respect of which they possess the necessary qualification. The section extends to one class of electors a special privilege to be exercised in a special case. The words "shall be so entitled to vote" indicate a voting under some particular or special circumstances. And these are ascertained by reference to the two preceding sections, which define the ratepayers who are entitled to vote on a by-law for contracting a debt. And I think that the fair interpretation to be put upon sec. 355 is that each ratepayer, as defined in the preceding sections, is to be entitled to vote, in respect of a by-law for contracting a debt as mentioned in the same sections, in each ward in which he has the qualification necessary to entitle him to vote on the by-law.

In this section we have the only other instance in which the right to vote more than once on any subject is expressly given by the Municipal Act. There are other instances in which, perhaps, the right may be given by implication by a provision enacting that a by-law is to be assented to by the electors in manner provided for in respect of by-laws for creating debts—or declaring that the persons entitled to vote thereon shall be the electors qualified to vote on by-laws for the creation of debts, e.g., secs. 19 (1), 28, and 565 (3).

When there are found instances where the right is expressly conferred, why should we infer an intention to recognize a similar right in all cases? Ought we not rather to infer that the general intent is against any such right, and that it exists only in the instances in which the legislature has said in terms that it may be exercised?

Stress was laid in argument on the language of sec. 348 as indicating an intention to give to all persons whose names are found in the voters' list to be supplied to the