

1903, but, instead thereof, he seems to have furnished each of the deputies with a large printed column intituled "Voters' Lists of the Town of Owen Sound;" and on the back he wrote the following: "December 26th, 1905. I solemnly declare that this is a true copy of the last revised voters' list. Chas. Gordon, clerk."

Many irregularities are attributable to the carelessness of the deputy returning officers; one instance will suffice. James Buchan was deputy returning officer in No. 10, and Joseph Millburn, poll clerk; the deputy certified that all the entries required by law to be made had been made in the poll book. There were 267 votes recorded at this poll, yet the poll book does not shew that a single voter voted upon either of these by-laws. All the columns provided in the book for shewing the voters voting for mayor, alderman, school trustee, by-law 1172, by-law 1178, plebiscite, are blank.

Many declarations that should have been attached to the books filed upon this motion are missing, and it is suggested they were put in the ballot boxes instead and were all destroyed with the ballots on 24th April.

Very many glaring omissions and irregularities appear in connection with the proceedings upon this vote, leading to the irresistible conclusion that the election officials were selected without regard to fitness, or they exhibited a lack of attention to legal requirements most difficult to understand. These remarks of course do not apply to all connected with the election, but unfortunately to many of them.

I think the by-law must be quashed with costs to be paid by the town corporation to the applicant.

The following authorities were referred to upon the argument: Re Cartwright and Town of Napanee, 11 O. L. R. 69, 6 O. W. R. 773; Re Pounder and Village of Winchester, 19 A. R. 684; Re St. Louis and Reaume, 26 O. R. 460; Re Young and Binbrook, 31 O. R. 108; Re Salter and Beckwith, 4 O. L. R. 51; Re Pickett and Wainfleet, 28 O. R. 464; Re Dillon and Village of Cardinal, 10 O. L. R. 371, 5 O. W. R. 653, 750; Re Vandyke and Village of Grimsby, 7 O. W. R. 739; Re Kelly, 3 O. W. R. 765; Re Huson and South Norwich, 21 S. C. R. 677; Re Tolmie and Campbell, 1 O. W. R. 268.