

Section 38 indicates how the poll books are to be made up by the clerk of the peace, i.e., by entering in the poll book for each subdivision from the proper list of voters the name of every person appearing therefrom to be entitled to vote within the subdivision for which the said poll book is required.

By sec. 47, in case the name of a person entitled to vote is entered on the list of voters for more than one polling subdivision, he shall vote only at the polling place for the subdivision in which he resides.

These and other like sections indicate that the person entitled to vote upon the question must have his name appear upon the voters' list to be used in the particular subdivision where he tenders his vote, and without this he is not entitled to vote and is not to be admitted to vote upon the question.

That is what is struck at by sec. 168; the man who brings forward another, and induces him to vote at a polling place where he has no right to vote, the former knowing that the latter has no such right, is guilty of a corrupt practice.

MACMAHON, J., gave reasons in writing for the same conclusion.

FERGUSON, J., also concurred.

Rule nisi discharged with costs.

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CARTWRIGHT, MASTER.

JUNE 18TH, 1903.

CHAMBERS.

# NORTHERN ELEVATOR CO. v. NORTH-WEST TRANSPORTATION CO.

*Security for Costs—Compliance with Order for—Renewal of Stay of Proceedings—Payment into Court—Notice of—Effect as to Time for Delivering Defence—Rules 1204, 1207.*

Motion by defendants to set aside the noting of the pleadings as closed for default of defence.

The statement of defence was due on the 9th June. On the previous day defendants' solicitors, who resided at Sarnia, instructed their agent at Sault Ste. Marie, where the proceedings were being carried on, to issue on præcipe an order for security for costs, which the agent did. On the following day, the 9th, the plaintiffs complied with the order