

company, and particularly as to alleged manufacture or falsification of minutes, etc., I acquit the Vigeons, father and son, and Mrs. McMullen (née Lampman), of any fraudulent complicity in anything that may have been wrongly or irregularly done.

As far as their personal actions are concerned, things may have been loosely done as a mere matter of routine, but with no wrong intent, and certainly not in pursuance of any conspiracy with the defendant.

I am by no means satisfied either with the defendant's conduct or his evidence. It is reasonably plain that he has not been "perfectly clear in his dealings with the plaintiff," to adopt the phrase of the Lord Chancellor; and, while I dismiss the action, I do so without costs.

HODGINS, J.A.

FEBRUARY 11TH, 1914.

***HAIR v. TOWN OF MEAFORD.**

Municipal Corporations—Local Option By-law—Action to Restrain Town Council from Submitting to Electors—Liquor License Act, sec. 141, sub-secs. 1, 5, sec. 143a—By-law Submitted in Previous Year and Defeated—Judgment Declaring Submission Illegal—Consent Judgment—Compromise—Inconclusive Judgment—Ineffectiveness—Validity of Previous Submission—Absence of Evidence—Necessity for Proof—Rights of Electors—Refusal of Injunction—Constitution of Action—Status of Plaintiff—Costs.

Action for an injunction to restrain the defendants from submitting a local option by-law to the electors and from passing a by-law. See ante 783.

The action was tried before HODGINS, J.A., without a jury, at Toronto.

A. E. H. Creswicke, K.C., and W. A. J. Bell, K.C., for the plaintiff.

H. E. Irwin, K.C., and W. E. Raney, K.C., for the defendants.

*To be reported in the Ontario Law Reports.