

provide themselves with a certificate under s. 347, and agents if given a certificate under s. 163.

The right of deputy returning officers to vote has been held in the negative by Riddell, J., in *Re Armour and Onondaga*, ante, and in the affirmative in *Re Saltfleet* (1908) 16 O.L.R. 293, and in *Re Joyce and Pittsburg* (1908) 16 O.L.R. 380. Ballot boxes may be used for concurrent voting for other objects: *Re Duncan v. Midland* (1907) 16 O.L.R. 132.

Voting takes place as at municipal elections (see s. 351). The provisions of the Act applied by that section include those from s. 138 to s. 206, except s. 179, "so far as the same are applicable and except so far as is herein otherwise provided." Among other things these provide for the delivery to every deputy returning officer of directions for voting which are to be posted up inside and outside of the polling place (s. 147) of certificates of the dates of the last day for making complaints to the county judge with respect to the voters' list and of the day on which the assessment roll was finally revised and corrected (s. 156).

The mode of voting is set out in s. 168, and while a voter is in the compartment provided in each polling place (see s. 145) no other person shall be allowed therein or to be in any position from which he can observe how the ballot paper is marked (s. 169). This has been held important in *Hickey v. Orillia*, ante.

The voter must leave his ballot with the deputy returning officer, but putting it in the ballot box himself is not a forfeiture of the right to vote: see *Duncan v. Midland* (1907) 16 O.L.R. 132.

The summing up of the votes takes place at the close of the poll and the statement to be made by each deputy returning officer is set out in s. 359 and the latter's duties are detailed in s. 360, 361, 362 and 363. Then the clerk of the municipality at the time and place mentioned in the by-law, in the presence of those appointed to be present, sums up the numbers of votes and forthwith thereafter certifies to the council the result (s.