

jurisdiction to compel him to consider and deal with an application for an information for such an offence.

*McEvoy*, for the applicant. *DuVernet*, for the magistrate.

Britton, J.]

[April 14.

IN RE SALTER AND TOWNSHIP OF BECKWITH.

*Intoxicating liquors—Local option by-law—Directions to voters—Motion to quash—Electors' status to oppose.*

A local option by-law named, as one of the polling places, a small unincorporated village, without specifying any house, hall, or place in the village. Polling had taken place at this village year after year at municipal elections, and any house or place in it could be easily found.

*Held*, following *In re Huson and South Norwich* (1892) 19 A.R. 343, that the polling place was sufficiently defined.

But *held* also, that as directions to voters had not been, as required by the Municipal Act, ss. 142 and 352, furnished to the deputy returning officers, and as there was not clear evidence of the posting up, under the direction of the council, of the by-law at four or more public places, the by-law must be quashed, these not being irregularities cured by s. 204, and the fact that no harm had, as far as shewn, resulted, being no answer.

The municipal council having decided not to oppose the motion to quash the by-law, certain electors were allowed, at their individual risk as to costs, to oppose it in the council's name.

*Re Mace and Frontenac* (1877) 42 U.C.R. at p. 76, followed.

*Watson*, K.C., and *J. Grayson Smith*, for application. *Maclaren*, K.C., and *McNeely*, for respondents.

Boyd, C.]

GUNN T. HARPER.

[April 29.

*Administrator ad litem—Death of appellant between argument and judgment—Dismissal of appeal—Security for costs.*

Where an appellant to the Court of Appeal being the plaintiff in the action, died between the date of the argument and the date of the judgment of the court, which judgment dismissed the appeal, an administrator ad litem was appointed in order that the costs might be recovered from the sureties to the plaintiff's bond, given as security on the appeal.

*Semble*, that such appointment was not necessary as the court might direct judgment to be entered as of the date of hearing, in the name of the plaintiff.

*Delamere*, K.C., for defendants. No one for the representatives of plaintiffs.