

trustee or on any school question whatsoever." But for the plaintiff it is urged that sec. 34 of the present Act deals with a specific matter, and the specific course therein pointed out should be followed, and that the word "ratepayer" used should only have the meaning expressly given to it by sec. 2, and especially as it deals with a question of important outlay, the burden of which will fall on that class. Without considering whether the franchise was not conferred on them because they do in fact bear the incidence of taxation, though not property owners, a reference to that section of the Act may enable us to get at the intention of the legislature.

Although the right of voting is conferred on "farmers' sons," they are not mentioned in the Act anywhere but in secs. 13 and 15. Elsewhere the reference is only to "ratepayers," and, although farmers' sons are expressly given the right to vote at elections of trustees, yet sec. 14 only directs a meeting of ratepayers for such an election, and sec. 15 directs the secretary to enter in the poll book the names of the "ratepayers" offering to vote. To hold that because only the word "ratepayers" is used, the intention expressed in sec. 13 shall not be given effect to, would manifestly carry us too far and render that section wholly nugatory. If then in sec. 15, sub-sec. 2, the word "ratepayers" does not exclude farmers' sons, it will require some other argument to make it so restrictive in sec. 34.

Section 2 only defines the meaning of the word "ratepayer," "unless a contrary intention appears." In my view, a contrary intention does appear where the word is used in relation to those who have the right to vote, and there it must be taken to include all, or rather not to exclude any, having such right. It may not be necessary to give the same interpretation to it where it is not a matter of voting, but only a matter of requirement or demand, as, for instance, petitioning for union of school sections, calling a meeting of ratepayers, or requiring the calling of a meeting of trustees, or perhaps demanding a poll.

A narrower construction of sec. 34 is perhaps also open, which does not any more accord with the plaintiff's view. The trustees are to call a special meeting of the ratepayers. If at such meeting school questions are to be voted on, and farmers' sons have the right to vote on all such questions,