

not require the signing to be done at the meeting, and signature afterwards is quite sufficient.

*Brock v. T. & N. R. Co.*, 17 Gr. 425, at p. 434, per Spragge, C., *McMillan v. Assiniboin*, 5 Man. R. 127.

"9. The said by-law provides for the said debentures being issued as of the 21st of December, 1911, which is illegal and improper."

It is argued that the statute does not give any power to the council to issue the debentures as of the 21st December. I find nothing in the statute, sec. 11 (1) now 17 (1), to prevent the council fixing any convenient date for the debentures—the statutory authority is given to issue debentures, however, and that is enough.

"10. The respondent in passing the said by-law assumed to bind lands in the township of West Wawanosh. No authority was ever received by the respondent from the said township of Wawanosh to enter into or carry their lines into the said corporation, and the action of the respondents in doing so and in passing the said by-law, whereby an effort is being made to bind lands of ratepayers in the said township, is wholly illegal."

The applicants cannot complain of anything not affecting them—supposing the ratepayers of Wawanosh could.

"11. The resolution passed by the respondents on the 27th day of April, 1912, as hereinbefore fully set forth, was illegal. The respondents having no power or authority to either pass said resolution or to pass the by-law thereby provided for."

This has already been dealt with.

"12. The respondent without a vote of the ratepayers of the township of Colborne had no power or authority to pass the said by-law, creating, as it does, a liability for which the credit of the whole township is pledged."

The statute sec. 11 (1) now 17 (1), gives the power and authority so to do.

"13. The Reeve and Councillor Halliday, both being subscribers to said Municipal Telephone System, acted in a partizan manner and had no right to vote on said by-law.

I think they acted in good faith, which is enough—but in any case three of the councillors were beyond suspicion, and they acted in passing the by-law.

The attack fails on all grounds taken; and the motion must be dismissed with costs.