allowed for Mr. Norman: see West Huron, 2 Ont. Elec. Cas. 58.

The result is that the appeal fails, and must be dismissed, except as to the two ballots numbered 5140 and 6814, and that the appellant must pay the costs.

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MACLENNAN, J.A.   MARCH 2ND, 1905.

C.A.—CHAMBERS.

RE WEST HURON PROVINCIAL ELECTION.

Parliamentary Elections — Ballot — Recount — Sufficiency of Marks—Mistake in Initials of Deputy Returning Officer—Torn Ballot—Ballot without Initials—Mistake of Officer—Ballots Wrongfully Numbered by Officer—Disclosing Identity of Voters.

Appeal by D. Holmes, one of the candidates at the election, from a recount of votes by the senior Judge of the County Court of Huron.

E. L. Dickinson, Goderich, for appellant.

H. M. Mowat, K.C., and J. L. Killoran, Goderich, for M. G. Cameron, the other candidate.

MACLENNAN, J.A.—The appeal was limited to 6 ballots; No. 5358, not counted for Holmes; Nos. 3189, 4183, 9493, 7699, and 6084, counted for Cameron; and all the ballots in polling subdivision No. 4, Goderich.

The only question as to 3189, 4183, and 9493, is the sufficiency of the mark as a cross, and I think the Judge was clearly right in holding the marks sufficient, and the ballots valid.

The objection to No. 6084 was that the initials of the deputy returning officer on the back were the letters " B. S.," instead of " R. S." The learned Judge came to the conclusion that the initials were placed thereon by the deputy returning officer, and were in his handwriting, and that B. was a mistake for R., and that the validity of the ballot was saved by sec. 112 (3) of the Act. I cannot say that his conclusion of fact is wrong, and I must therefore affirm his decision.

No. 7699 was objected to on the ground that, when produced, it was found to be torn in two along an irregular line, lengthwise of the ballot, and the two parts were pinned together, no part of the original ballot being absent or wanting. In all other respects it was perfect, and properly marked for Cameron. . . The case differs from that of West Huron,