

this the case in views of the views expressed in a number of decided cases, as to non-liability as regards disfranchisement, for sporadic employment trivial transactions or for contractual debts due by a municipality and paid for before the writ issued.

Collette's evidence does make it certain, however, that the employment in this case continued after June 27th. and even after the issue of the writ. It is strenuously objected that the latter fact, although objection was not taken to the evidence when made, ought not to be noticed.

In one sense this is so, and in another not so. As a specific cause of disfranchisement it is unavailing; but I consider it quite relevant as showing the character of continuance up to and after the institution of these proceedings.

Plaintiff asserts that spite of his objections, the defendant persisted in working. This is denied by the latter and his denial is supported by foreman Robert.

I consider that one can, at once, put to one side two of the reasons on which some of the cited decisions are founded. The employment of defendant, while sought for by the town officers, did not result from the fact that other labourers with horses were not to be found; nor were his services accidental, momentary or trivial.

And it may be added that the employment in question was that of the council, which by itself and its officers appointed, dismissed and paid.

From what law must we, initially at least, seek guidance as to the validity of plaintiff's pretensions?

Obviously from the Municipal code which, in greatest measure, governs the doings of county, village or town municipalities—saving such towns as are incorporated by special statutes.