

THE
ONTARIO WEEKLY REPORTER

VOL. XIII.

TORONTO, MAY 15, 1909.

No. 20

TEETZEL, J.

MAY 3RD, 1909.

WEEKLY COURT.

RE SERVICE AND TOWNSHIP OF FRONT OF
ESCOTT.

*Municipal Corporations—Local Option By-law—Voting on
— Municipal Act, sec. 173 — Polling Places Crowded
during Voting and Counting of Ballots—Violation of
Secrecy of Ballot—Canvassing in Polling Places—Voting
not Conducted in Accordance with Principles of Act —
Motion to Quash By-law—Elector Desiring to be Heard
by Counsel in Support of By-law.*

Motion by Robert H. Service to quash a local option by-law of the township, upon the ground that the voting on the by-law was not conducted in accordance with the requirements of the Municipal Act.

J. Haverson, K.C., and W. A. Lewis, Brockville, for the applicant.

W. B. Carroll, K.C., for the township corporation.

W. E. Raney, K.C., for an elector, asked to be heard in support of the by-law.

TEETZEL, J.:—At the opening of the argument Mr. Raney, representing an elector, sought to intervene on his behalf to shew cause against the motion to quash the by-law, and cited *Re Mace and County of Frontenac*, 42 U. C. R. 70, in support of this position; but by reference to that case it will be seen that the corporation were not represented there—did not appear upon the motion—and consequently the Court expressed the view that, in those circumstances, an elector might be represented in support of the by-law. He also cited *In re Local Option By-law of Township of*