



Copy of a Minute of His Honour the Lieutenant-Governor-in-Council dated June 21, 1950.

REFERENCE SUPREME COURT
Re: CRAPAUD AND "THE VILLAGE SERVICE ACT"

A PETITION having been presented to Council by certain residents of Crapaud asking that "The Village Service Act" be not proclaimed with respect to Crapaud;

AND IT APPEARING that, pursuant to the said Act, the Sheriff of Queen's County had, on the 22nd day of May, 1950, held a poll of ratepayers of Crapaud to determine whether or not a majority of the inhabitants thereof were in favour of the said Act being declared to apply to Crapaud;

ON THE RECOMMENDATION of Honourable the Minister of Industry and Natural Resources, and upon consideration of said Petition, Council did and doth order that pursuant to the provisions of Section 41 of The Judicature Act, as enacted by Section 10 of 5 George VI., Chapter 16, certain questions concerning the validity and result of such poll, set forth in the following reference, be referred to the Supreme Court in banco of the Province of Prince Edward Island for hearing and consideration, and Council did and doth order that a reference to the said Supreme Court do accordingly issue in the following terms:

At the Government House at Charlottetown
Wednesday, the 21st day of June, 1950.

Present: His Honour the Lieutenant-Governor-in-Council.

IN re "THE VILLAGE SERVICE ACT"
ex parte CRAPAUD

WHEREAS, pursuant to "The Village Service Act" the Sheriff of Queen's County did, on the 22nd day of May, 1950, hold a poll of ratepayers of Crapaud to determine whether or not a majority of the inhabitants thereof were in favour of the said Act being declared to apply to Crapaud;

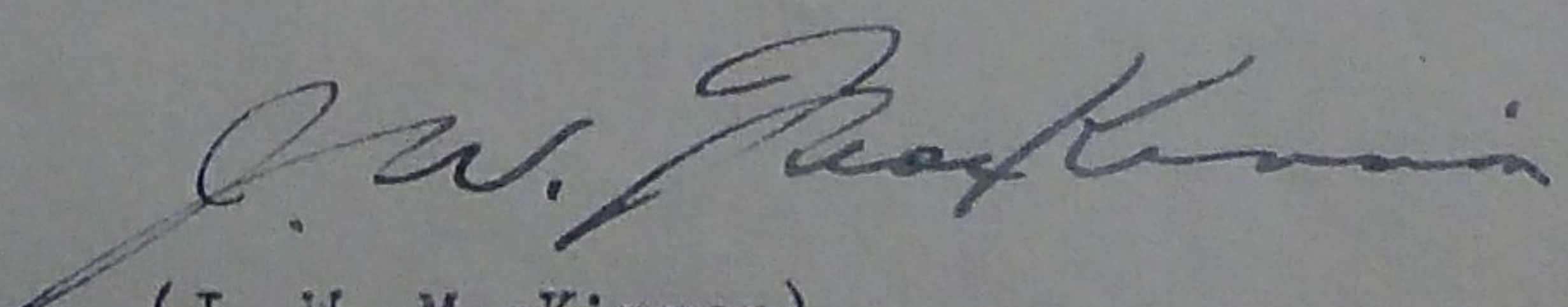
AND WHEREAS the return of the said Sheriff upon the said Poll showed 45 votes for and 36 votes against;

AND WHEREAS a Petition has been presented to US asking that "The Village Service Act" be not proclaimed with respect to Crapaud;

NOW THEREFORE, His Honour the Lieutenant-Governor-in-Council, pursuant to the provisions of Section 41 of The Judicature Act, as enacted by Section 10 of 5 George VI., Chapter 16, is pleased to refer and doth refer the following questions to the Supreme Court in banco of the Province of Prince Edward Island for hearing and consideration:

1. Were persons not qualified to vote at the said poll permitted to vote thereat?
2. Were the ballots cast at the said poll improperly counted?
3. If either of the foregoing questions is answered in the affirmative, was the result of the vote at the said poll affected thereby?

Certified a true copy,


(J. W. MacKinnon)
Clerk of the Executive Council