

clamation to the office of Deputy Reeve of the Municipality of the Town of Arnprior at the municipal election held on the 5th January, 1914.

E. E. A. DuVernet, K.C., and R. J. Slattery, for the relator.

J. E. Thompson, for the defendant.

THE MASTER:—This application is made under the Municipal Act of 1913, sec. 51, sub-secs. (1) and (2), which are as follows:—

“(1) A town, not being a separated town . . . shall . . . be entitled where it has more than 1,000 and not more than 2,000 municipal electors, to a first deputy reeve,” etc.

“(2) The number of municipal electors shall be determined by the last revised voters’ list, but in counting the names, the name of the same person shall not be counted more than once.”

It is contended by the relator that the municipal electors in the town of Arnprior, which is not a separated town, fall short of the number of “more than 1,000” required by sub-sec. (2). He files a number of affidavits in support of the motion, and the voters’ list and assessment rolls were produced before me at the hearing, by the town clerk. From the affidavits and this material it appears that the total number of persons on the voters’ list is 1098; of these 12 were struck off by the County Court Judge on the revision of the list, and 87 voted in other subdivisions. These being deducted from the above total, 999 names are left. Two names were said to be down on the same subdivision more than once, but one of these was shewn, by the affidavit filed by the defendant, to be properly on the list, and this was accepted by the relator. I have, therefore, allowed one of these. This leaves a total of 998 names of qualified electors.

Mr. Thompson argued strenuously that, as there were some slight differences in the spelling and in the occupation of the persons said to be named twice on the voters’ list, the names should not be taken off. In view, however, of the uncontradicted affidavits filed by the relator as to the identity of these persons, and that in the only case where the relator’s statement was disputed the defendant filed an affidavit, I do not see my way clear to allow these voters to be counted more than once.

Counsel for the relator also contended that the names of 35 tenants, who, he contended, are not entitled to vote, should be deducted from the list; and affidavits are filed shewing that