

The question now is, were there more than 1,000 names of municipal electors, not counting any names a second time, on the then last revised list of voters for Arnprior. The municipal clerk said there were. He is a man of considerable experience and his integrity is not impeached.

A scrutiny was entered upon before the master. It seems clear to me that for the purpose of determining the right to a deputy reeve no scrutiny is contemplated by the Act beyond that of seeing that the name of any relator is not counted more than once.

Section 50, sub-sec. 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."

Determined, in the first instance at least by the council, *prima facie* that determination shall stand. If it is wrong the onus of shewing error must be upon the attacking party.

Many sections of the Municipal Act refer to population. Population must be determined by the census, or otherwise, according to the interpretation section cited by me. That may not be correct, but it must be accepted as correct for the specific purpose.

In the scrutiny before the Master, evidence was given as to tenants who had moved away from the town, persons who had died, and tenants who had changed their places of residence in the town. I reject that and come to the count, assuming that the determination of the council, if incorrect, must be so shewn by proper evidence, and that the count must be subject to the limitation of sec. 51, sub-sec. 2.

For the purpose of my determination of the question in hand, I will accept the relator's affidavit as to the names of persons whose names are on for more than one polling sub-division, or whose names are on the list more than once.

He finds that the list, at first, contained 1098 names. There were struck off by the Judge 12, leaving 1086.

From this number, there must properly be stricken off 86 names before the municipality can be deprived of the right to a deputy reeve.

The town clerk only swears to 1006 names, but I have no means on the material before me of ascertaining the