

the most public places in the municipality. This is a serious objection in view of the facts. The affidavits shew that one copy was put up by Mr. McEwen, and one copy was put up by P. F. Sinclair, who was and is a member of the council; he says he has been informed and believes that five copies of the by-law were duly posted, etc., and that he himself personally posted one copy at Scotch Corners, in said township. Joseph Kidd, who was reeve of the township in 1891, swears as follows:—"Copies of said by-law with said notice appended were posted up in at least five of the most public places in the said township of Beckwith, namely, Franktown P. O., Deany School-house, Prospect P. O., Kemp's blacksmith shop at Black's Corners, Town Hall, Black's Corners, all of which said notices I did personally see. I have also been informed and believe that said by-law with said notice appended was posted at the said Scotch Corners in the said township."

It will be noticed that no time is mentioned. It is not attempted to be shewn who put any of these copies up, or when or by what authority, other than as above stated.

Apparently the matter was not discussed in council or by the councillors, either at or before or after any meeting. It is different in that respect from what appears to have been done in reference to publishing the by-law and notice in a newspaper. Mr. Kidd was active in desiring to get the by-law passed, and is now naturally and properly desirous to have it sustained, and he would (if he could) have given more particulars of these copies, when, by whom, and under what circumstances they were put up. The council apparently gave no authority to put them up, and what is a somewhat singular fact, the active workers for the by-law, while they say the by-law and voting were talked about, do not speak about the copies posted up.

It is also objected that directions to voters in the form of schedule L., as required by secs. 142 and 352 of the Municipal Act, were not furnished to the deputy returning officer. This is important. It is not pretended that this was done, but it is urged that no harm was done, because, if there had been, it would be evidenced by spoilt ballots. I hardly think that is the test. Voters are entitled to the information and direction which the statute provides, and ballots may have been wrongly marked and counted, although in no way spoilt.

It is also urged that the mistake is cured by sec. 204. I cannot say this omission did not affect the result. It perhaps did not. I cannot say, and ought not to be called upon