

election, or any elector who gave or tendered his vote thereat, or if respecting the validity of any such appointment, any member of the council or any elector of the ward, or, if there is no ward, of the municipality for which the appointment was made, may be the relator for the purpose. 46 V. c. 18, s. 185.

NOTE.—The Judge of the County Court may try contested elections in municipalities. Objections to a candidate should be made at nomination. The word “contested” is used in this and subsequent sections with different meanings; *1st, as to the validity of an election*, and *2nd, as to the contest at the election*.

188. If within six weeks after the election, or one month after acceptance of office by the person elected, the relator shews by affidavit to such Judge, reasonable ground for supposing that the election was not legal, or was not conducted according to law, or that the person declared elected thereat was not duly elected, and if the relator enters into a recognizance before the Judge or before a Commissioner for taking affidavits, in the sum of \$200 with two sureties (to be allowed as sufficient by the Judge upon affidavit of justification) in the sum of \$100 each, conditioned to prosecute the writ with effect, or to pay the party against whom the same is brought any costs which may be adjudged to him against the relator, the Judge shall direct a writ of summons in the nature of a *quo warranto* to be issued to try the matters contested. 46 V. c. 18, s. 186.

NOTE.—Proceedings must be taken within six weeks after election or one month (calendar) after acceptance of office.

189. The Judge of the High Court before whom the writ of summons is returnable, may order the evidence to be used on the hearing of the summons to be taken *viva voce* before the Judge of the County Court, in the presence of counsel for, or after notice to, all the parties interested, and such Judge shall return the evidence to the Registrar at Toronto of the Division from which the writ of summons was issued, and every party shall be entitled to a copy thereof. 46 V. c. 18, s. 187.

190. In case the relator alleges that he himself or some other person has been duly elected, the writ shall be to try