order, I think the plaintiff's visits to the children should not be more frequent than once every three weeks, upon twenty-four hours' previous notice, and that the visits should be in the afternoon between 2 and 5.

Full provision will be made in the order and care will be taken to prevent anything being done that will not be for the good of the children.

There will be no costs to either party of the proceedings apart from the alimony action.

MEREDITH, C.J.C.P. MARCH 12TH, 1913.

*HARRIS v. ELLIOTT.

Pleading—Statement of Claim—Motion to Strike out, as Disclosing no Reasonable Cause of Action—Forum—Con. Rule 261—Practice — Excision of Pleading—Con. Rule 298—Raising Point of Law Equivalent to Demurrer—Con. Rule 269 — Claim upon Wager — Enforcement — Illegality at Common Law—Betting on Parliamentary Election—Dismissal of Action—Costs.

Motion by the defendant, under Con. Rule 261, for an order striking out the statement of claim and dismissing the action, on the ground that the statement of claim disclosed no reasonable cause of action, and that the action was frivolous and vexatious.

G. S. Hodgson, for the defendant.
Grayson Smith, for the plaintiff.

MEREDITH, C.J.C.P.:—Consolidated Rule 261 being relied upon as authorising such an order as is asked, the inherent jurisdiction of the Court over all procedure in it is not invoked.

Mr. Smith objects to the motion being made in Court, urging that it should, if regularly made, be made at Chambers; and it is proper that that question of practice should be first considered, even though it may, as to the parties to this action, be one affecting costs only.

The power conferred by the Rule relied upon is conferred upon a Judge of the High Court only, not the Court or a Judge; and so the power of the Master in Chambers is ex-

*To be reported in the Ontario Law Reports.