

render futile all that has been done by the grand jury, and necessitate a compliance with all the forms prescribed by sec. 827 of the Code, including the preparation and preferring by the prosecuting officer of a charge in accordance with the directions given in sec. 827(3).

I am unable to think that it was the intention to give an accused person the general right to elect to be tried without a jury; on the contrary, I think that the intention was to give it only in cases in which the exercise of such an election would or might effect a speedy trial of an accused person and thereby save the delay which waiting for a trial by jury might involve.

And I do not think the legislation extends the right beyond that point.

The first question should be answered in the affirmative, and the second and third in the negative, and the conviction should stand.

MACLAREN and MAGEE, JJ.A., each gave reasons in writing for the same conclusion.

GARROW, J.A., and LATCHFORD, J., also concurred.

*Conviction affirmed.*

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MARCH 6TH, 1912.

**\*RE VILLAGE OF BRUSSELS AND McKILLOP MUNICIPAL TELEPHONE SYSTEM.**

**RE VILLAGE OF BLYTH AND TOWNSHIP OF McKILLOP.**

*Ontario Railway and Municipal Board—Jurisdiction—Separate Telephone Systems in Adjacent Territories—Order for Connection—Ontario Telephone Act, 1910, secs. 8, 9—Agreement with Bell Telephone Company—Applications to Board—Parties.*

Appeals by the McKillop Municipal Telephone System and the Corporation of the Township of McKillop from orders or decisions pronounced by the Ontario Railway and Municipal Board.

\*To be reported in the Ontario Law Reports.