

and enabled them to exercise jurisdiction outside of their county or district.

The remark of Hagarty, C.J., in *Re Wilson v. McGuire*, 2 O. R. 118, at p. 124, is in point.

The manner of designation, i.e., by the President of the High Court, is on the whole convenient, and involves no delegation of appointment to office, any more than would be the giving power of assigning to the Judges of the High Court their circuits or sittings in Court.

It was objected that, assuming the Judge to be well appointed, he had no power to deprive the prisoner of his right of trial by jury. But a person charged with having committed a corrupt practice or illegal act under the provisions of the Ontario Election Act cannot demand a jury as of right. By sub-sec. (4) of sec. 188, upon the return of the summons the Judge is required to investigate and dispose of the case in a summary manner, and he is given wide powers of adjournment from time to time and from place to place, altogether inconsistent with the notion of a trial by jury. It is true that sub-sec. (2) of sec. 169 provides for punishment in case of trial by jury, but these are in cases where the Election Court orders the person charged to be prosecuted before some other Court. These provisions do not seem to apply to trials under sec. 188.

It is also objected that the order of conviction is bad on a number of grounds. The most important is that the Judge has sentenced the prisoner to one year's imprisonment in addition to the payment of a penalty of \$400 and costs, whereas under sec. 91 the Judge's jurisdiction is limited to the imposition of the pecuniary penalty. It is argued that sub-secs. (2) and (3) of sec. 91 only provide for the punishment of persons accused by the infliction of a pecuniary penalty, and not by imprisonment, and that the jurisdiction of the Judges appointed and designated under sub-sec. (4) is confined to the conduct of the trial for the recovery of the pecuniary penalty. But a reference to some of the provisions of the Ontario Election Act which are incorporated in the Liquor Act will shew that the provisions of sub-secs. (2) and (3) of sec. 91, so far from being restrictions upon, are amplifications of, them. By sec. 167, a person found guilty of personation as therein defined shall incur a penalty of \$400, and shall also on conviction be imprisoned for a term of one year with or without hard labour. The punishment being thus prescribed, the procedure is found in sec. 188. By sub-sec. (7) the Judge, being satisfied that the person charged has committed the offence, shall adjudge that the said person