

have thought proper to intervene in the conduct of the Sault Ste. Marie provincial election, and have been proved to have committed illegal and corrupt acts in connection therewith. The fact of foreign nationality or residence is the only matter which can be urged to exempt them from the penal consequences of their violation of the statute. But they have attorned to the jurisdiction of the Ontario Court by promoting and committing unlawful acts affecting the public election, which were consummated within the territorial boundary of the province. We are satisfied that both objectors are aware of the summonses and might have been present in person had they so desired, and we are empowered to pronounce judgment in their absence: Election Act, sec. 188 (5). Each summons was personally served on these persons when out of the jurisdiction, and the complaint is as to torts or violations of the Election Act committed within the jurisdiction of the province. It was argued that there was no rule or practice permitting service in such cases outside of Ontario. Con. Rule 162 (e) applies to a tort within the jurisdiction, and this Rule is made applicable to proceedings in the Election Courts by Rule LXIV., passed 23rd December, 1903, by the Judges of the Court of Appeal for Ontario, under the authority conferred by R. S. O. 1897 ch. 11, secs. 112, 113.

As to Patrick Galvin it is proved that he furnished meat and drink and refreshment to voters while going to and returning from the polls within the jurisdiction of the Court, in going to Michipicoten Harbour and Helen Mines and returning therefrom on 26th, 27th, and 28th October, 1903, contrary to sec. 162 of the Election Act. We further find Galvin guilty of having aided and abetted, counselled and procured, the commission of the offence of personation of voters, contrary to the provisions of sec. 167 of the Act, and of having induced and procured persons to vote at the election knowing that they had no right so to vote. For this offence a penalty of \$100 is imposed. For the former offence a penalty of \$200 is imposed: see sec. 162 (1) and sec. 188 (7) of the Act. The costs of and incidental to this prosecution to be paid by Galvin after taxation. The prosecutor electing to recover these amounts by process sued out of the High Court, the payment thereof by Galvin is ordered forthwith.

As to William Coyne, we find it proved that he provided free transportation for voters on the railway from Michipicoten Harbour to Wawa and return transportation on the