

uncommon thing; and in many circumstances it may be highly convenient."

In *City of Fredericton v. The Queen*, 3 S. C. R. 505, Ritchie, C.J. of Canada (to whose opinion reference is made by Sir Montague E. Smith in *Russell v. The Queen*), adopts the statement in *Cooley on Limitations*, 4th ed., p. 142, that "it is not always essential that a legislative act should be a complete statute which must in any event take effect as law at the time it leaves the hands of the legislative department. A statute may be conditional, and its taking effect may be made to depend upon some subsequent event." This statement of the doctrine covers the present case.

There remains the objection that the Legislature has exceeded its powers in sec. 91 of the Act.

This section is directed to the prevention and punishment of corrupt practices during the taking of the vote, and makes provision for the trial and punishment of offenders, and as, besides the question of *ultra vires*, other questions are raised with regard to its construction, operation, and effect, it is proper to quote at length the portions on which the questions turn.

By sub-sec. (1) it is declared that all the provisions of the Ontario Election Act and amendments thereto relating to the prevention and punishment of corrupt practices and other illegal acts at elections, and contained in secs 159 to 170 inclusive, and in secs. 181 to 186 inclusive, and in secs. 190 to 196 inclusive, of the said Act and amendments thereto, shall *mutatis mutandis* apply to the taking of the vote. Sub-section (2) provides that the penalties imposed for a contravention of any of the provisions mentioned in the preceding sub-section, and thereby incorporated in this part, or for a contravention of any other provisions of this part, shall be recovered in the same manner as penalties for the like offences are recoverable under the Ontario Election Act, and the procedure therein shall be the same as nearly as may be as they (sic) would have been had the offence been committed at the election of a member to serve in the Legislative Assembly.

Sub-section (3): It shall be the duty of every County Crown attorney and of every District Crown attorney, upon receiving information that any offence has been committed under this Act, to take proceedings for the prosecution of the offender and the recovery of penalties by this Act imposed.

Sub-section (4): In case a county or district Crown attorney is informed or has reason to believe that any corrupt practice or other illegal act has been committed in his county or district in connection with the voting under this part, he