

nary objections pursuant to sec. 19 of the Act. These objections are as follows:—

(1) That the security provided by statute herein was not properly given, and not until some time after the petition in question was filed.

(2) The said security was not given in bank bills or in gold or in Dominion notes or legal tender.

(3) The alleged copy of the security and notice thereof were not verified.

(5) The original petition herein and copies thereof were not signed by the petitioner in person.

(6) The signature of the petitioner was not verified.

(7) The petition herein and the copies thereof were not in form, and were not indorsed in accordance with the provisions of the statute and the rules governing the same.

An appointment was obtained from me for Monday the 14th December to hear the parties upon such objections and grounds.

Mr. Jones objected to the jurisdiction, contending that one Judge could not alone hear or determine any matter which would or possibly could have the effect of setting aside or dismissing out of Court the petition. This objection cannot prevail. "The Court shall hear the parties upon such objections and grounds, and shall decide the same in a summary manner:" sec. 19. "The Court," in the province of Ontario, is "the High Court of Justice" or any Judge thereof: see sec. 2, sub-sec. j (1). By sec. 38 two Judges are required for the trial of an election petition. "Trial Judges" means the two Judges "trying an election petition or performing any duty to which the enactment in which the expression occurs has reference." The preliminary objections may be disposed of by one Judge, subject to an appeal to the Supreme Court of Canada in certain matters, as provided in sec. 64.

Mr. Jones cited the decision of Mr. Justice Osler in the Algoma Election Case, where he declined to proceed as a single Judge. That was an entirely different case. It was a provincial election, and the trial was for corrupt practices. The summons was issued under secs. 187 and 188 of the Ontario Election Act. I quite agree that under that Act and the amendments then in force, it was necessary that two *rota* Judges should preside.