

DIARY FOR MARCH.

1. Thur... St. David.
4. Sun... 3rd Sunday in Lent.
5. Mon... Holt, C.J., died, 1770, et. 65.
6. Tues... Court of Appeal sits. Gen. Ses. and C. C. sittings for trials in York. York changed to Toronto, 1834.
11. Sun... 4th Sunday in Lent.
13. Tues... Lord Mansfield born, 1704.
17. Sat... St. Patrick's day.
18. Sun... 5th Sunday in Lent. Arch. McLean, 8th C.J. of Q.B., 1862. Princess Louise born, 1848.
19. Mon... P. M. Vankoughnet, and Chancellor, 1862.
25. Sun... 6th Sunday in Lent.
26. Wed... Lord Romilly appointed M.R., 1831.
30. Fri... Good Friday. B.N.A. Act assented to, 1867. Reformation in England began, 1534.

Early Notes of Canadian Cases.

SUPREME COURT OF JUDICATURE
FOR ONTARIO.HIGH COURT OF JUSTICE FOR
ONTARIO.

Queen's Bench Division.

TRAVERSY v. GLOUCESTER.

Bridge—Approach—Liability of local municipality not taken away by sec. 530 of the Municipal Act.

Section 530 of the Municipal Act, 46 Vict. cap. 18, provides that "The approaches for one hundred feet to and next adjoining each end of all bridges belonging to, assumed by, or under the jurisdiction of any municipality or municipalities, shall be kept up and maintained by such municipality or municipalities; the remaining portion or portions of such approaches shall be kept up and maintained by the local municipalities in which they are situate."

The action was brought under Lord Campbell's Act. The deceased met with the accident which caused his death at the intersection of two roads, both alleged to be out of repair, and both lying within the boundaries of the defendant township, but one of them leading to a bridge under the joint jurisdiction of the city of Ottawa and the county of Carleton, and the approaches to which, therefore, under the above section, should have been kept up and maintained by the city and county. The point where the accident occurred was within one hundred feet of the end of the bridge, but

it was not shown that there was any artificial structure to enable the public to pass from the road to the bridge and from the bridge to the road, which would cover the point where the accident occurred.

Held, reversing the judgment of ROBERTSON, J., at the trial, nonsuiting the plaintiff.

1. That the word "approaches" in the section means all such artificial structures as may be reasonably necessary and convenient for the purpose of enabling the public to pass from the road on to the bridge, and from the bridge on to the road, and does not include the highway to the distance of one hundred feet from each end of the bridge, at all events, unless the artificial structures extend so far.

2. That in any case sec. 530 does not relieve the local municipality from its statutory liability to repair, but merely gives the local municipality the right to enforce its provisions against the municipality or municipalities owning the bridge.

REGINA v. TRIGANZIE.

Assault—Evidence of previous indictable offence—General reputation.

An indictment for an assault occasioning actual bodily harm contained a second count, charging a prior conviction for an indictable offence. The offence disclosed by the indictment upon which the prisoner was tried was not one of that class of offences for which, after previous conviction for felony, additional punishment might be imposed. The first part of the indictment only was read in arraigning the prisoner, and no allusion was made to the second part charging the prior conviction. The prisoner, in his defence, gave evidence of good character. The Crown gave some general evidence in rebuttal, and then tendered, under 32-33 Vict. c. 29, s. 26, a certificate to prove a prior conviction, and read the second clause of the indictment charging such prior conviction.

Held, that this evidence was not properly admissible as to character, and that such evidence can only be as to general reputation, evidence of a prior conviction going to the matter of punishment, and not to general character.

Regina v. Rowton, 10 Cox, C. C. 25 followed.