accident in a serious illness, his inability to give the notice is construed liberally in his favour on the general principle that such a condition indisposes a man to do any business: *Lever* v. *McArthur*, 9 B.C.R. 417 at 420.

Where in British Columbia there has been a genuine mistake, not of law, that is, as to the legal effect of the doctor's certificates in a mining district, but of fact, that is, as to whether or not the company would accept them as a notice of injury, the custom and usage will be considered on the question as to whether the plaintiff was misled thereby from giving the statutory notice: *Michelli* v. *Crow' Nest Pass Coal & Coke Co.*, 7 D.L.R. 904 at 909.

In Quebec the failure to give notice to the municipality of an injury sustained on a defective sidewalk (without reasonable excuse) will bar the action not only against the municipality but also against the property owner who is answerable to the municipality under art. 5641 of the Cities and Towns Act, R.S.Q. 1909: *Batsford* v. *Laurentian Paper Co.*, 5 D.L.R. 306.

The notice of action required by sec. 667 of the Manitoba Municipal Act, R.S.M. 1902, ch. 116, need not be signed by the claimant personally nor need it shew that he was claiming in his capacity of personal representative of the deceased: *Curle* v. *Brandon*, 15 Man. L.R. 122.

Sec. 722 of the Winnipeg charter which is the same in effect as sec. 667 of the Manitoba Municipal Act. R.S.M. 1902, ch. 116, requiring notice of the "claim or action," is to receive a liberal construction, and requirements not specifically stated and not necessarily implied should not be read into it: *Iveson* v. *Winnipeg*, 16 Man. L.R. 352.

When plaintiff proves that he has given the notice of action required by the Municipal Code (Que.), the failure to allege notice in his declaration is not a cause of prejudice to the defendant and not a ground for exception to the form: *Pageot* v. *St. Ambroise*, 10 Que. P.R. 79.

A notice by letter to the chairman of the Board of Works, instead of to the city clerk, under sec. 722 of the Winnipeg charter, 1 and 2 Edw. VII. (Man.) ch. 77, which contained full particulars of the accident and of the injuries and of a claim for a specific sum and which reached the city clerk within the prescribed time, was held sufficient: *Mitchell* v. *Winnipeg*, 17 Man. L.R. 166.

Notice to be excused must be based on more than mere want of prejudice: *Anderson* v. *Toronto*, 15 O.L.R. 643.

In Quebec the right of action for damages against a city being based primarily on the sufficiency of the notice as to the place where the accident occurred according to art. 536(*a*) of the Montreal charter, a notice stating that the accident occurred on a sidewalk on the corner of two streets, while it appears by the evidence that the plaintiff fell on the crossing between these two streets, is insufficient: *Seybold* v. *City of Montreal*, 10 Que. P.R. 377.

In an action in Ontario against a township corporation for damages for personal injuries from a highway out of repair, where the plaintiff gave