

sion under the charter for a reference to a judge at request of a ratepayer.

By s. 313 of the charter (54 Vict. c. 58) as amended by 60 Vict. c. 44 "every insurance company or association accident and guarantee company, established in the City of Halifax, or having any branch office or agency therein shall . . . pay an annual license fee as hereinafter mentioned . . . Every other company, corporation, association or agency doing business in the City of Halifax (banks, insurance companies or associations, etc., excepted) shall . . . pay an annual license fee of one hundred dollars."

Held, that the words "every other company" in the last clause were not subject to the operation of the ejusdem generis rule, but applied to any company doing business in the city. Judgment appealed from overruled on this point. See 39 N.S. Rep. 403.

A carriage company agreed with a dealer in Halifax to supply him with their goods and gave him the sole right to sell the same in a territory named, on commission, all monies and securities given on any sale to be the property of the company and goods not sold within a certain time to be returned. The goods were supplied and the dealer assessed for the same as his personal property.

Held, DAVIES and MACLENNAN, JJ. dissenting, that the company was not "doing business in the City of Halifax" within the meaning of s. 313 of the charter and not liable for the license fee of one hundred dollars thereunder.

Appeal dismissed with costs.

F. H. Bell, for appellant. *Newcombe*, K.C., for respondents.

Province of Ontario.

COURT OF APPEAL.

Full Court.]

CRAWFORD v. TILDEN.

[April 22.

Constitutional law—Mechanics' Lien Act—Dominion railway.

A lien under R.S.O. 1897, c. 153, cannot be enforced against the railway of a company incorporated under a Dominion Act,