

dangerous state from snow and ice, and sustained the injury upon the adjoining land. *Noverre v. City of Toronto*, 651.

Municipal Elections—Penalties—Prior and Subsequent Enactments as to same Offence—Repugnancy.—See MUNICIPAL ELECTIONS.

Police Magistrate—Salary of—R. S. O. ch. 72.—See POLICE MAGISTRATE.

MUNICIPAL ELECTIONS.

Personation—Conviction—Prior and Subsequent Enactment as to same Offence—Repugnancy—55 Vict. ch. 42, secs. 167 and 210 (O.).—Where a clause in a statute prohibits a particular act and imposes a penalty for doing it, and a subsequent clause in the same statute imposes a different penalty for the same offence, which cannot be reconciled either as cumulative or alternative punishment, the former clause is repealed by the latter.

This principle being applied to sections 167 and 210 of the "Consolidated Municipal Act 1892," a person convicted of personation under the former clause was discharged as illegally convicted on a return to a *habeas corpus*.

Robinson v. Emerson, 4 H. & C. 352, and *Michell v. Brown*, 1 Ell. & Ell., at p. 275, followed. *Regina v. Rose*, 195.

Disqualification—Exemption from Taxes without Contract—55 Vict. ch. 42, secs. 73, 86—56 Vict. ch. 35, sec. 4 (O.).—See MUNICIPAL CORPORATIONS, 6.

NEGLIGENCE.

Private Approach to and from Highway—Non-repair—Liability of Private Person.—See MUNICIPAL CORPORATIONS, 1.

Railways—Moving Train—Postal Car—Bare Licensee—Accident.—See RAILWAYS, 1.

NOTICE.

Assignment of Non-negotiable Chose in Action Without Notice—Equities.—See CHOSE IN ACTION, 1.

Certiorari—Notice to Magistrate—Contempt.—See CONTEMPT OF COURT.

NOTICE OF ACTION.

Libel—Newspaper—Service of—R. S. O. ch. 57, sec. 5.—See DEFAMATION.

Municipal Corporations—Defective Sidewalk—Pleading—57 Vict. ch. 50, sec. 13 (O.).—See MUNICIPAL CORPORATIONS, 3.

Sufficiency of—Magistrate—Issue of Warrant—Absence of Information—Trespass.—See JUSTICE OF THE PEACE, 1.

ONTARIO GAME PROTECTION ACT.

Permitting Deer Hounds to Run at Large—Scienter—56 Vict. ch. 49, sec. 2, sub-sec. 2 (O.).—See GAME.