

Where a driver of a motor car is convicted for the offence of driving a motor car on a public highway between one hour after sunset and one hour before sunrise, without having the identification plate on the back of the car illuminated, the company owning such car may be convicted of aiding and abetting the driver of the car in the commission of the offence, inasmuch as the company must act through agents, sending out a car in an improper condition, and it is not necessary to prove a criminal intent on the part of the company: *Provincial Motor Cab Co. v. Dunning*, [1909] 2 K.B. 599.

A summary conviction under sec. 18 of the Ontario Motor Vehicles Act, 2 Geo. V., c. 48, providing that if an accident occurs to any vehicle in charge of any person owing to the presence of a motor vehicle on the highway, the person in charge of such motor vehicle shall return to the scene of the accident and give in writing to anyone sustaining loss or injury the name and address of himself and of the owner of the motor vehicle and the number of the permit, will be quashed, though the motor vehicle driven by the convicted person grazed the wheel of a passing buggy with sufficient force to loosen two spokes in its wheel, if it appeared at the trial that the person in charge of the motor vehicle did not know or have reason to know that such an injury had resulted to the buggy: *Robertson v. McAllister*, 5 D.L.R. 476, 19 Can. Cr. Cas. 441.

Under the Quebec Motor Vehicle Act, the owner of an automobile may be summarily convicted for an infraction of the speed limit upon a public highway, where a registered automobile is taken out without his consent by a machinist of the garage where it had been left for repairs. The doctrine of *mens rea* or guilty knowledge does not apply to that offence, in view of the clause therein (art. 1400) which provides that the "owner" shall be held responsible for any violation and for accidents or damages caused by his motor vehicle upon a highway. The onus is upon the prosecution to prove the fact of registration of the automobile on a charge against the owner for an offence committed by some else while operating his motor car: *The King v. Labbe* (Que.), 17 Can. Cr. Cas. 417.

Bench and Bar

JUDICIAL APPOINTMENTS.

John Gordon Gauld, of this City of Hamilton, Province of Ontario, K.C., to be Junior Judge of the County Court of the County of Wentworth, vice Judge Monek retired (April 17).