

where the sale has not been openly and fairly conducted, notwithstanding the fact that the taxes are legally due and in arrears, and that all requisite formalities have been observed;

(d) That they do not apply at all under certain circumstances referred to by the Judges in the above cases, where, for instance, there are no taxes legally due and in arrears.

It is interesting to note that McDougall, C.J. of York, has held that a county municipality is not liable for the cost of advertising the county treasurer's list of sales for arrears of taxes, although sent to the plaintiff by the county treasurer, and that the county treasurer does not act as an officer of the corporation in relation of tax sales, and that the duties connected therewith are not within the scope of his authority as county treasurer. He is merely *persona designata* on behalf of the local municipality, and the creditor must look to him personally: *Warwick v. County of Simcoe*, 36 C.L.J., 461.

Hamilton.

JOHN G. FARMER.

Lord Alverstone, formerly Sir Richard Webster, has been appointed Lord Chief Justice of England, in succession to the late Baron Russell of Killowen. Mr. Justice A. L. Smith succeeds Lord Alverstone as Master of the Rolls.

The following judicial appointments were published in the *Canada Gazette* of October 13th: George F. Gregory, Q.C., of the City of St. John, to be a puisne judge of the Supreme Court of the Province of New Brunswick; and Joseph Emery Robidoux, Q.C., of the City of Montreal, to be a puisne judge of the Superior Court of the Province of Quebec.

The *Central Law Journal* notes a case of the *City of Kansas v. Orr*, 61 Pac. Rep. 397, where it is held that the fact that one who sustains injury by reason of the negligence or wrongful act of another may have been at the time of the injury acting in disobedience of his collateral obligations to the State, which required of him the observance of the Sunday law, will not prevent a recovery from one whose wrongful or negligent act or omission was the proximate cause of the injury.