

obstruction; but that if the warning is to prevent a person who has broken the law being made responsible for his acts, that might be within the section. Another interesting decision was *Du Cros v. Lambourne* (95 L.T. Rep. 782; 21 Cox C.C. 301), where it was held that a person who aids and abets another driving at a speed dangerous to the public may be convicted as a principal under s. 1(1) of the Motor Car Act, 1903, as in offences less than felony the law treats all as principals. With regard to the words "any offence in connection with the driving of a motor-car," in s. 4(1) of the Act of 1903, it was held in *Rex v. Lyndon; Ex parte Moffat* (72 J.P. 227) that they did not include obstructing a highway within the Highway Act, 1835, by leaving a motor-car thereon; and in *Jessopp v. Clark* (99 L.T. Rep. 28), it was laid down that where a constable, who had stopped a car, informed the driver that he thought he was exceeding the speed limit, but that if, after he had compared the time with another constable, it appeared that he had not done so, and in such a case he would hear nothing further about it, this was sufficient warning of an intended prosecution within s. 9(2) of the Motor Car Act, 1903.

Two other cases with reference to driving are worthy of notice. In *Welton v. Taneborne* (99 L.T. Rep. 668), the driver of a motor-car was convicted under s. 1 of the Act of 1903 of driving in a manner which was dangerous to the public. Evidence was given as to speed, and the question of speed was taken into consideration on such conviction. The prosecution then desired to proceed on a summons under s. 9 for exceeding the speed limit, but the magistrate refused to hear it, on the ground that the defendant could plead autrefois convict, and in this the Divisional Court held he was right. The other case was *Burton v. Nicholson* (100 L.T. Rep. 344), in which it was held that the driver of a motor-car when overtaking a tramcar proceeding in the same direction was bound to pass the tramcar on the right or off side, apart altogether from the question of danger to the public or to persons getting on or off the tramcar. This decision, however, is not of much value, inasmuch as art. 4(3) of the