possession, to be consumed within his shop by the purchaser thereof, and it is not essential that he should be registered, and a conviction therefore was sustained.

Held, also, that the conviction did not charge an alternative offence, the only offence charged being the consumption on the premises.

The adjudication and conviction, besides imposing the money penalty under s. 70, further imposed imprisonment for three months, as provided by that section.

The court differed as to the validity of the term of imprisonment imposed, but held that in any event the conviction could be amended under 53 Vict., c. 37, s. 27 (D.), so as to comply with s. 67 of the Summary Convictions Act.

Du Vernet for the motion.

Langton, Q.C., *contra*.

Div'l Court.] [March 4.

REGINA *v.* FARRELL.

Liquor License Act—Admission of guilt—Right to object to legality of rules and regulations—Right to impose costs and imprisonment.

On an information charging that the defendant, on his premises, being a place where liquor may be sold unlawfully, did have his barroom open after ten o'clock in the evening, contrary to the rules and regulations for license-holders passed by the license commissioners, etc., on April 28th, 1893, the defendant signed an admission, stating that the information, having been read over to him, he desired to plead guilty to the charge, which was the only evidence before the court, and on which the defendant was convicted.

Held, following *Regina* v. *Brown*, 24 Q.B.D. 357, that this did not preclude defendant from objecting to the power of the license commissioners to pass such rules or regulations; but on authority of *McGill* v. *License Commissioners of Brantford*, 21 O.R. 665, the objection must be overruled.

By the conviction herein a fine and costs were imposed; and in default of payment, distress; and in default of sufficient distress, imprisonment.

Held, under s. 98 of the Liquor License Act, R.S.O., c. 194, incorporating s. 427 of the Municipal Act, costs and imprisonment could properly be imposed.

Du Vernet for the motion.

Langton, Q.C., *contra*.

Div'l Court.] [March 4.

ROGERS *v.* HAMILTON COTTON CO.

Master and servant—Accident to servant—Liability under the Workmen's, etc., Act—Factories Act, construction of—Volenti non fit injuria—Applicability of—53 Vict., c. 23, s. 7 (O.).

In the defendants' dyehouse, over the tanks containing the dye, there was certain machinery, consisting of a series of rollers for wringing the dye out of the warp as it came from the tanks, having cogwheels at the ends thereof where they connected with the frame of the machine. There were spaces between the