

# The Ontario Weekly Notes

Vol. I.

TORONTO, JUNE 15, 1910.

No. 38.

## HIGH COURT OF JUSTICE.

MIDDLETON, J., IN CHAMBERS.

MAY 28TH, 1910.

### REX v. DUNKLEY.

*Liquor License Act—Information for two Offences on same Day  
—Conviction on one Charge—Evidence—Minute of Justices—  
Informant not Residing in County.*

Motion to quash a conviction made by two Justices of the Peace on the 18th April, 1910, by which the defendant was convicted of having on the 7th January, 1910, sold liquor without a license, upon the information of one Reid.

J. B. Mackenzie, for the defendant.

J. R. Cartwright, K.C., for the Crown.

MIDDLETON, J.:—Two informations were laid by Reid against Dunkley before the same magistrates on the same day, each charging the sale of liquor on the 7th February, but one charging a sale at 3 p.m. and the other at 4 p.m. At the same time two similar charges were made against Neal. Apparently the informant intended to make the charges against Neal as occupant and against Dunkley as actual offender.

The four cases came on before the Justices on the same day, and by consent were all adjourned several times, finally coming on for hearing on the 1st April. On that day the Justices made the following minute:—

“Minutes of the proceedings of the adjourned cases of W. J. Reid against Albert Dunkley and A. T. Neal for selling liquor unlawfully in the village of Stirling on the 7th day of February, 1910. William J. Reid against Albert Dunkley (first case) called.”