

action would not lie by the Crown to restrain the defendants from operating the road on Sunday, the restriction against their doing so being at most an implied one, and no substantial injury to the public or any interference with proprietary rights being shown.

Judgment of the Common Pleas Division, 19 O.R. 624, affirmed.

J. R. Cartwright, Q.C., and A. M. Dymond, for the appellant

A. G. Hill for the respondents.

CENTRAL BANK OF CANADA v. GARLAND.

Bills of exchange and promissory notes—Collateral hire receipts—Discount of notes.

This was an appeal by the defendant from the judgment of the Chancery Division reported 20 O.R. 142, and came on to be heard before this court (HAGARTY, C.J.O., BURTON, OSLER, and MACLENNAN, J.J.A.) on the 1st of June, 1891.

G. H. Watson, Q.C., and C. A. Masten, for the appellant.

W. R. Meredith, Q.C., and F. A. Hilton, for the respondents.

June 30th, 1891. The appeal was dismissed with costs, this court agreeing with the reasons for judgment given in the court below.

UNITED COUNTIES OF LEEDS AND GRENVILLE v. TOWN OF BROCKVILLE.

Canada Temperance Act—Application of fines—49 Vict., c. 48, s. 2 (D).

This was an appeal by the plaintiffs from the judgment of the Queen's Bench Division reported 17 O.R. 261, and came on to be heard before this court (HAGARTY, C.J.O., BURTON, OSLER, and MACLENNAN) on the 13th of May, 1891.

W. R. Meredith, Q.C., and J. H. Macdonald, Q.C., for the appellants.

C. F. Fraser, Q.C., and Aylesworth, Q.C., for the respondents.

June 30th, 1891. The appeal was dismissed, the court being divided in opinion.

HAGARTY, C.J.O., and OSLER, J.A., thought that the appeal should be allowed for the reasons given by STREET, J., dissenting, in the court below.

MACLENNAN, J.A., agreed with the majority in the court below, while BURTON, J.A., thought that Brockville should recover, but through the medium of the Crown who should be added.

WHIDDEN v. JACKSON.

County Court—Jurisdiction—Equitable claim—Action—Assignments Act—R.S.O. (1887), c. 124.

An action asking for a declaration of right to rank on an insolvent estate is an action for equitable relief, and is not within the jurisdiction of the County Court.

Judgment of the County Court of Huron affirmed.

Garrow, Q.C., for the appellant.

J. H. Coyne for the respondent.

PEUCHEN v. CITY MUTUAL INSURANCE CO. *Insurance—Change of interest.*

Where the business of a partnership is taken over by a limited liability company formed for that purpose, there is such a change of interest as to invalidate insurances held by the firm in the absence of notification of the change to, and assent by, the insurance company, though the members of the partnership hold nearly all the stock in the limited liability company.

Judgment of FALCONBRIDGE, J., reversed.

Gibbons, Q.C., for the appellants.

W. Nesbitt and A. M. Macdonnell for the respondents.

IN RE CENTRAL BANK OF CANADA. HOME SAVINGS AND LOAN COMPANY'S CASE.

Banks and banking—Shares—Transfers—Winding-up Act.

After a winding-up order has been made, it is too late for holders of shares, entered as such in the books of the bank, to escape liability by showing irregularities in transfers to more or less remote predecessors in title.

A loan company which advances moneys on the security of shares which are transferred to it and accepted by it in the ordinary absolute form cannot escape liability on the ground that it is merely a trustee for the borrower.

Judgment of ROBERTSON, J., affirmed.

Foy, Q.C., for the appellants.

W. R. Meredith, Q.C., and F. A. Hilton, for the respondents.

REGINA v. SLOAN.

Liquor License Act—Right of search—Refusal to admit officer—R.S.O. (1887), c. 194, s. 130.

The right of search given by section 130 of the Liquor License Act, R.S.O. (1887), c. 194, may be exercised without any preliminary state-