

hay in question ; that such value appeared to be certainly less than \$20 ; and under s. 315 of the County Courts Act as amended by 59 Vict., c. 3, s. 2, the plaintiff was not entitled to appeal ; and that the appeal should be dismissed with costs.

McMeans, for plaintiff. *Elliott*, for defendant.

Bain, J.] GRAHAM v. BRITISH CANADIAN L. & T. CO. [April 1.
Practice—Queen's Bench Act, 1895, Rules 621, 646—Time for entering appeal
—Entry of judgment.

This was a motion to strike out an appeal by the plaintiffs against the decision of the Chief Justice pronounced on the 27th November, 1897, whereby he ordered that certain mortgages should be declared void, but that defendants should have a lien on the land for certain sums paid for taxes. The minutes of the judgment were not settled until 23rd February, 1898, and the judgment was formally entered on 24th February, in compliance with Rule 621 of the Queen's Bench Act, 1895. The notice of appeal was given within two weeks from the date of the entry, but defendants contended that the notice should have been given within two weeks from the date of the decision, relying on Rule 646 (c) and (d).

Held, notwithstanding the apparent inconsistency between paragraphs (a) and (d) of Rule 646 that the two weeks should run from the date of the entry of any judgment or decree required by the practice to be entered. Application dismissed without costs.

Ewart, Q.C., for plaintiffs. *Mulock*, Q.C., for defendants.

Killam, J.] NICHOL v. GOCHER. [April 25.
Married woman—Liability on contract—Separate estate—Separate business.

The plaintiff's claim was against a married woman for wages as a farm labourer in her employ, for money lent to and paid for her at her request, for money collected by her for him, and for the price of animals sold to her. The chief point of interest arose under the defence of coverture, the plaintiff contending that defendant carried on the business separately from her husband, and relying on *Wishart v. McManus*, 1 M.R. 213, and *Velie v. Rutherford*, 8 M.R. 168 ; and the defendant, that she did not carry on the business separately from her husband and was therefore not liable.

The plaintiff was employed as the defendant's servant, and it was understood between them and defendant's husband that the farm was hers, and that the farming operations were being carried on as hers. The negotiations for the employment of the plaintiff were conducted by the husband, though partly in the defendant's presence ; and it was the husband who was consulted by the plaintiff in all matters of importance relating to the farm, though at times the defendant was present.

The husband gave defendant the benefit of his advice and assistance and