

JUDGMENTS.

The Queen v. The Corporation of the Township of Hamilton.—Held that service on Saturday at four o'clock is not good service of a four days' notice for following Wednesday, and so case must be again set down before court will pass sentence on defendants.

Jones et al. v. Guess.—Rule discharged with costs.

Huskinson v. Lawrence.—Rule discharged (application for leave to appeal, stands).

Deverall v. G. T. R. Co.—Rule absolute to enter non-suit. Leave to appeal granted.

Jones et al. v. McMullen.—Rule absolute to enter non-suit.

In the matter of Scott and the Corporation of the Township of Harvey.—Rule absolute to quash by-law with costs.

Utherington v. Port Burwell Harbour Company.—Rule absolute for new trial on payment of costs.

In re Cameron and Kerr.—Held that the court has no jurisdiction to entertain application to set aside summarily an award of fence viewers—rule nisi refused.

Massachusetts Hospital Company v. The Provincial Insurance Company.—Rule absolute to reduce verdict by amount paid into court without costs to either party.

Neill v. McMillan.—Rule discharged.

Corporation of County of Lincoln v. The Corporation of the Town of Niagara.—Judgment for defendants on demurrer.

Thornton v. The Sandwich Plank Road Company.—Held that where the consideration of a contract is executed, defendants, a corporation, cannot, in order to escape payment, set up the want of their corporate seal as a defence. *Per cur, postea* to plaintiff.

Present:—HAGARTY, J.

Toronto, Sept. 29, 1866.

Ferguson v. Carman.—Rule absolute to rescind order, with costs to be paid by the judgment creditor.

Hayball v. Shepherd.—Rule discharged (leave to appeal asked and stands).

Clissold v. Matchell.—Rule absolute for completion of the case within a month, else leave to appeal rescinded—no costs.

Meyers v. Baker.—Rule discharged with costs.

In re McLean v. The Corporation of the Township of Bruce.—Rule discharged with costs.

Martin v. Hanning.—Stands till next term.

Harvey v. Woodruff.—Rule absolute for non-suit.

City of Toronto v. The Great Western Railway Co.—Special case. Held, that as the judgment of the County Judge has confirmed the assessment as revised by the Court of Revision, this court cannot review or annul his adjudication.

COMMON PLEAS.

Present: RICHARDS, C. J.; A. WILSON, J.;
J. WILSON, J.

Toronto, September 2, 1866.

Dumble v. Johnsen.—Judgment for defendant.

Hope v. White.—Rule absolute for new trial. Costs to abide event.

Pettigrew v. Doyle.—Rule absolute for nonsuit.

Fields v. Livingstone.—Plaintiff's rule to enter verdict for plaintiff discharged.

Helm v. Crossen.—Proceedings stayed on payment by defendant of costs of suit and application to amend.

Monk v. Farlinger.—Plaintiff's rule for new trial discharged with costs.

Present:—A. WILSON, J., and J. WILSON, J.

Toronto, Sept. 24, 1866.

McCurdy v. Swift.—Held that an order will lie at the suit of the representatives of a man who was killed by a drunkard, against the tavern-keeper who supplied the spirituous liquor to the drunkard—judgment for defendant on demurrer, with leave to amend.

Milligan v. G. T. R. Co.—Rule absolute for new trial—costs to abide the event.

Lancaster Petroleum Company v. Manus.—Rule nisi to rescind judge's order refused.

Meyers v. Brown.—Rule absolute for new trial, without costs, unless parties agree upon a special case, on or before 5th October next.

Gore Bank v. Tarboz.—Rule absolute for new trial—costs to abide the event.

The Queen v. Sherman.—Held per Adam Wilson, J., that our Con. Stat. U. C., cap. 100, is in effect suspended by the Imperial Mutiny Act, and so not in force. Held per John Wilson, J., that the two acts are consistent, and both in force. There being a difference of opinion in the court, the rule was discharged.

Ross v. The Corporation of Portsmouth.—Rule discharged—leave to appeal granted.

Koster v. Holden.—Rule absolute to set aside non-suit without costs.

Kinsey v. Newcombe.—Held that a guardian to an infant under the statute cannot maintain ejectment in her own name—rule absolute to rule non-suit.

Steinhoff v. Birch.—Rule discharged.

Davies v. Corbett.—Rule absolute for new trial; costs to abide the event.

Hesketh v. Ward.—Rule absolute for new trial, on payment of costs, within four weeks, otherwise rule absolute to enter a non-suit.

Siney v. Rose.—Postea to defendant.

McLellan v. McLennan.—Appeal from the decision of the judge of the United Counties of Stormont, Dundas and Glengarry—dismissed with costs.

Parke v. Allen.—Appeal from the decision of the judge of the County of Frontenac—dismissed with costs.