

MONTHLY REPERTORY—AUTUMN ASSIZES—APPOINTMENTS TO OFFICE—TO CORRESPONDENTS

L. J. June 15.
MUNRO V. THE WIVENHOE AND BRIGHTLINGSEA RAILWAY COMPANY.

Interlocutory injunction—Comparative injury—Specific performance—Railway company—Contractor—Withholding of certificates—Practice—Evidence.

The court will not, by an interlocutory injunction, restrain an act, the validity of which, as between the parties to the suit, is matter of doubt, and for which, if wrongful, the plaintiff can obtain adequate compensation in damages at the hearing of the cause; while the injunction, if granted, would inflict serious injury on the party sought to be restrained.

The court, on motion for an injunction, will act as well according to the comparative injury which may arise from granting or withholding the injunction, as according to the justice of the case as appearing on the evidence.

The court will not interfere by injunction between the parties to a contract, specific performance of which cannot be decreed.

Per TURNER, L. J.—On motion for an injunction, it is open to counsel to use any affidavit filed before he addresses the court. (13 W. R. 880.)

V. C. K. June 15.
TALBOT V. MARSHFIELD.

Practice—Production of documents—Trustees' dealings.

Where trustees deal with a trust fund, all the *cestuis que trus ent* have a right to see the documents relating to such dealings, unless there is a special reason why they should not.

If trustees take the opinion of counsel to guide them in the trust, simply, the *cestuis que trus ent* have a right to see those opinions, but not cases and opinions taken after adverse proceedings and relating to such litigation. (13 W. R. 885.)

L. J. June 29.
GALLOWAY V. CITY OF LONDON.

Practice—Stay of proceedings pending appeal—Jurisdiction—Dismissal of bill.

Where a bill is dismissed, the jurisdiction of the court over the cause is gone, and no order can be made to bind the parties pending an appeal to the House of Lords.

Where a plaintiff, whose bill is about to be dismissed, intends to appeal to the House of Lords, he should ask that the decree dismissing the bill should be so framed as to keep alive the jurisdiction of the court pending the appeal.

Oddie v. Woodford, 3 My. & Cr. 625, followed; *Price v. Salsbury*, 11 W. R. 1014, overruled. (13 W. R. 933.)

AUTUMN ASSIZES, 1865.

EASTERN CIRCUIT.

The Hon. Mr. Justice Hargry.

Ottawa	Tuesday	3rd October.
L'Orignal	Monday	9th October.
Cornwall	Thursday	12th October.
Brockville	Wednesday	19th October.
Perth	Monday	23rd October.
Kingston	Tuesday	7th November.

MIDLAND CIRCUIT.

The Hon. The Chief Justice of Upper Canada

Whitby	Monday	2nd October
Cobourg	Thursday	5th October.
Peterborough	Monday	16th October.
Lindsay	Friday	20th October.
Napinee	Wednesday	25th October.
Picton	Monday	30th October.
Belleville	Friday	3rd Novemb

HOME CIRCUIT.

The Hon. Mr. Justice Morrison.

Milton	Monday	2nd October
Welland	Thursday	5th October
Niagara	Monday	9th October
Barrie	Monday	16th October.
Owen Sound	Tuesday	24th October
Hamilton	Monday	6th Novem'

OXFORD CIRCUIT.

The Hon. Mr. Justice John Wilson.

Simcoe	Tuesday	3rd October
Cayuga	Monday	9th October
Brantford	Thursday	12th October
Guelph	Tuesday	17th October
Berlin	Tuesday	24th October
Stratford	Friday	27th October
Woodstock	Tuesday	31st October

WESTERN CIRCUIT.

The Hon. The Chief Justice of the Common Ple

Goderich	Tuesday	10th October
Sarnia	Monday	16th October
St. Thomas	Thursday	19th October
London	Tuesday	24th October
Chatham	Tuesday	7th Noveml
Sandwich	Tuesday	14th Novem.

YORK AND PEEL AND CITY OF TORONTO.

The Hon. Mr. Justice Wilson.

York and Peel	Monday	9th October.
City of Toronto	Monday	6th Novem

APPOINTMENTS TO OFFICE

NOTARIES PUBLIC.

JAMES KEITH GORDON, of Whitby, Esquire, Atty at-Law, to be a Notary Public in Upper Canada. (Gaz. August 12, 1865.)

COLUMBUS H. GREEN, of Toronto, Esquire, Barr. at Law, to be a Notary Public in Upper Canada. (Gaz. August 12, 1865.)

CORNELIUS VALLEAU PRICE, of Kingston, Esq. Attorney at Law, to be a Notary Public in Upper Can. (Gazetted August 12, 1865.)

DANIEL MCCARTHY DEFOE, of Toronto, Esquire, attorney-at-law, to be a Notary Public in Upper Can. (Gazetted August 12, 1865.)

TO CORRESPONDENTS.

"STUDENT-AT-LAW"—"GEO. D. DICKSON"—"LEX"—"General Correspondence."

"A RATEE AFTER" too late for this number.

We have received a communication apparently post "Mitchell" and signed "an old subscriber." If he is sure, be aware of our rule that we cannot notice communications not verified by the name of the writer. In any case, however, we do not think the subject matter of the letter such general interest as to warrant us in answering it.