MASON v. GOLDFIELDS—RIDDELL, J.—NOV. 9.

Company—Certificate—Mandamus.]—Motion by plaintiff for a mandamus to defendants to deliver certificates. Judgment that as the applicant has abandoned his right if any to costs, there will be no order as to costs, and the other objects of the motion having been achieved, there will be no order. G. A. Urquhart, for the plaintiff.

MACKAY v. MACKAY—FALCONBRIDGE, C.J.K.B.—NOV. 9.

Will—Action by Beneficiary—Taxes Accruing Prior to Testator's Death—Counterclaim.]—Action by a beneficiary under a will for a direction that he is entitled to a conveyance of lands devised to him, free and clear of taxes and other rates which had accrued prior to the death of the testator, on which point the learned Chief Justice found against the plaintiff. He also found against the plaintiff as to the chattel mortgage and the overdraft set up in the defendants' counterclaim, the general result being stated as follows: the plaintiff is declared to be entitled to have a conveyance of the lands devised to him by testator upon terms of paying to the executors the expenses which they have incurred in and about the sale of the lands, including the moneys actually paid to the treasurer, and their own expenses of attending upon the sale, and their solicitor and client's costs incurred in connection therewith: and also the items of the defendants' counterclaim, above referred to, viz. (a) Chattel mortgage for $315.71 and interest (b) amount of the overdraft $242.60, plus $16.50 interest to the first of November, 1911, and subsequent interest; (c) the costs of this action and counterclaim. J. H. Rodd, for the plaintiff. W. E. Gundy, and R. L. Brackin, for the defendants.

CAMPBELL v. VERRAL—GIBSON v. VERRALS—RIDDELL, J., IN CHAMBERS—NOV. 9.

Staying Proceedings—Prior Judgment against Incorporated Company without Assets—Res Judicata—Estoppel—Negligence.]—Motion by the defendant to stay these actions, which for the purposes of the motion may be treated as one, till a former judgment recovered against "Taxicab Verrals, Limited"