

*Lamoureux & Parker.*—Appeal dismissed, the appellant not appearing.

*Wheeler & Dupaul.*—Motion for new security granted; delay to give new security to 1st day of next term.

*Rouillard & Lapierre.*—Heard on merits. C. A. V.

*Humphrey & Ross.*—Heard on merits. C. A. V.

*Wheeler & Black.*—Heard on merits. C. A. V.

*Hébert & Cantwell.*—Heard on merits. C. A. V.

*Lamarche & Enault.*—Heard on merits. C. A. V.

Sept. 25.

*Hubert & City of Montreal & Hubert.*—Acte of the *desistement* is given in so far as Miss Hubert is concerned, reserving to Messrs. Barnard & Barnard, all recourse they may have under the judgment of this Court. Petition of Barnard & Barnard rejected without costs.

*Cross & Windsor Hotel Co.*—Judgment reversed.

*Duchesneau & Lizotte.*—Judgment reversed, each party paying his own costs in all three courts.

*McShane & Millburn.*—Judgment reversed. Motion for appeal to Privy Council granted.

*McShane & Hall.*—Judgment reversed. Motion for appeal to Privy Council granted.

*Johnson & Consolidated Bank.*—Judgment confirmed.

*Fisher & Evans.*—Judgment reversed.

*Exchange Bank & Pichette.*—Judgment confirmed.

*Le Séminaire de St. Hyacinthe & La Banque de St. Hyacinthe.*—Judgment reversed, Tessier, J., diss.

*Jones & Cuthbert.*—Judgment confirmed.

*Blumenthal & Forcimer, & Tait et al. & Jones et al.*—Motion for leave to appeal from interlocutory judgment rejected.

*Bell & Court & McIntosh.*—Writ returned.

*Reg. v. Laporte.*—Case settled by surrender of child, without costs.

*Burroughs & Wells.*—Four days' delay to file factum.

*Buller & Ross.*—Motion for leave to appeal from interlocutory judgment, rejected.

*Robinson & Canadian Pacific Railway Co.*—Motion for leave to appeal from interlocutory

judgment granting a new trial. Motion granted.

Sept. 26.

*Muldoon & Dunn.*—Motion for leave to appeal granted.

*Brunet & Corporation du Village de St. Louis.*—Judgment confirmed.

*Whitehead & White.*—Judgment confirmed.

*Corbett & Corporation of Huntingdon.*—Judgment confirmed, Tessier, J., diss.

*D'Orsennens & Christin.*—Judgment reversed.

*McGibbon & Bedard.*—Record produced, and rule discharged.

*Grothé & Saunders & Grothé.*—Petition for *reprise d'instance* granted by consent.

*Heathers & Forest.*—Judgment confirmed.

*Rouillard & Lapierre.*—Judgment confirmed.

*Humphrey & Ross.*—Judgment ordering record to be sent back to prothonotary, each party paying his own costs. Ramsay, J., diss.

*Bell & Court & McIntosh.*—Papers filed by the prothonotary.

The Court adjourned to Nov. 15.

#### RECENT U. S. DECISIONS.

*Evidence—Marriage.*—A marriage may be proved, even in a criminal prosecution, by the testimony of one who was present at the celebration. Maxwell, J., said: "At common law, in trials for polygamy, adultery, and criminal conversation, proof of marriage must be made by direct evidence or its equivalent. 2 Greenl. Ev. § 461; 1 Phil. Ev. (4th Amer. Ed.) 631, 632. But, even at common law, proof of a marriage having been celebrated by a person who was present, was sufficient. 1 Phil. Ev. 632. *Hemmings v. Smith*, 4 Doug. 33. Any person who was present when the marriage took place is a competent witness to prove the marriage; and it is enough that he is able to state that the marriage was celebrated according to the usual form, and he need not be able to state the words used. *Fleming v. People*, 27 N. Y. 329. In this state no proof of the official character of the person performing the ceremony is necessary, and his certificate or a copy of the record, duly certified, will be received in all courts and places as presumptive evidence of marriage. In the absence of evidence to the contrary, the statute of Pennsylvania will be presumed to be like our own. *Moses v. Com-*