

FERGUSON, J.]

[Feb. 25.

VIGEON v. NORTHCOTE.

*Execution—Stay of—Appeal to Court of Appeal—Rule 804—Manifold judgment—Stay as to part—Attachment of debts.*

The defendant was appealing to the Court of Appeal from a manifold judgment of the High Court directing the execution by him of a conveyance, the delivery of documents, etc., and also the payment of a sum for costs of the action. The defendant gave security for the costs of the Court of Appeal and for payment of the costs of the action, but did not execute the conveyance, deposit the documents in court, or otherwise comply with the judgment of the provisions of Rule 804, s-s. 1, 2, 3.

*Held*, that upon the perfecting of the security there was a stay of execution amounting to a supersedeas as to the costs of the action by virtue of s-s. 4 of Rule 804, although the defendant had done nothing with respect to the parts of the judgment falling under the other sub-sections; and garnishing proceedings taken for the purpose of collecting such costs were not sustainable.

*J. M. Clark* for the plaintiff.

*J. R. Roaf* for the defendant.

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## Appointments to Office.

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### HIGH COURT JUDGES (ONTARIO).

#### *County of Bruce.*

William Barrett, Esquire, Junior Judge of the County Court of the County of Bruce, in the Province of Ontario; to be Judge of the County Court of the County of Bruce, in the said Province of Ontario, *vice* His Honour Judge Kingsmill, resigned.

William Barrett, Esquire, Judge of the County Court of the County of Bruce, in the Province of Ontario; to be a Local Judge of the High Court of Justice for Ontario.

Alphonse Basil Klein, of the Town of Walkerton, in the Province of Ontario, Esquire, one of Her Majesty's Counsel learned in the Law; to be Junior Judge of the County Court of the County of Bruce, in the Province of Ontario, *vice* His Honour William Barrett, appointed Judge of the said Court.

Alphonse Basil Klein, Esquire, Junior Judge of the County Court of the County of Bruce, in the Province of Ontario; to be a Local Judge of the High Court of Justice for Ontario.

#### *County of Welland.*

William Weir Fitzgerald, of the City of London, in the Province of Ontario, Esquire, one of Her Majesty's Counsel learned in the Law; to be Judge of the County Court of the County of Welland, in the Province of Ontario, *vice* His Honour George Baxter, deceased.