

July, and placed it in the barn expecting to winter his stock with part of the produce, and to sell part.

Held, 1. The defendant was properly enjoined from selling and allowing the removal from the place of any part of the hay, following *Crosse v. Ducker* (1873) 37 L.T.N.S. 816.

2. The meaning of the lease was that all herbage was to be used and consumed on the premises and that it was immaterial whether part of the hay was removed from one part of the farm to another so far as damages were concerned, following *Westropp v. Elligott*, 9 App. Cas. 815.

F. W. Wilson, for defendants. *R. McKay*, for plaintiff.

Province of Nova Scotia.

SUPREME COURT.

Longley, J.]

HOBRECKER v. SANDERS.

[Sept. 29.

Judgment—Application under O. XIV.—Effect of pleading.

Plaintiff applied by summons for leave to enter final judgment under the provisions of O. XIV. in a case where the defendant had appeared to a summons specially indorsed under O. III. r. 5. After the issue of the summons for judgment defendant filed and served pleas.

Held, that the court could not interfere with the pleas so pleaded on the faith of the affidavit made by plaintiff previously to the filing of the pleas.

Quære, whether the court had power to enlarge the time to enable plaintiff to furnish further sworn statements.

W. B. A. Ritchie, K.C., and *Terrell*, for plaintiff. *Mellish*, K.C., for defendant.

Drysdale, J.]

RE DYAS.

[Oct. 2.

Physician and surgeon—Registration obtained by means of false certificates—Power of Medical Board to revoke.

Appellant obtained registration as a physician and surgeon in the Province of Nova Scotia on the presentation of certificates