

authorized the Sheriff to adjourn the sale : *Todd v. Werry*, 15 U. C. 614.

At an adjourned sale the whole lot should not be offered for sale, but only as much of it as is sufficient to cover the taxes : *Ibid.*

The Sheriff must be presumed to know whether a whole lot of land of 200 acres was worth £500 or only £2 12s. : *Henry v. Burness*, 8 Grant, 345.

A purchaser procuring the whole lot to be knocked down to him, by requesting the bystanders not to bid against him, as he wanted to confirm his title by purchasing it in, acted improperly, and the sale so conducted was held void : *Todd v. Werry*, 15 U. C. 614.

A combination to defeat fair bidding will vacate the sale : *Henry v. Burness*, 8 Grant, 345.

The writ to sell was delivered to the Sheriff when in office : he did not sell till he was out of office : the sale was held invalid, as it was not shewn that the Sheriff, while in office, had begun to act on it, and *quære*, if the same rule applied to such writs as to writs of execution : *McMillan v. McDonald*, 26 U. C. 454.

Whether land, improperly assessed as non-resident land, when it is in fact occupied land, can be legally sold for arrears. See *Allan v. Fisher*, 13 C. P. 63.

Sale by the Sheriff good, though there is a distress on the land : *Ibid* ; *McDonald v. McDonald*, 24 U. C. 74.

When taxes are due to an old district, and taxes become due to the new district after separation, the sale for both arrears is to be made by the Sheriff of the new district where the land lies : *Doe d. Mountcashel v. Grover*, 4 U. C. 23.

8.—PAYMENTS.

A payment of taxes to the Sheriff, while he had the warrant to sell, is good : *Doe d. Sherwood v. Matheson*, 9 U. C. 321 ; *Jarvis v. Cayley*, 11 U. C. 282 ; *Jarvis v. Brooke*, 11 U. C. 299.

After the sale of a whole lot for taxes, the Treasurer may receive payment of the taxes in redemption of a part of it, if the lot had been in fact sub-divided, and the Treasurer determined in good faith that such part was a distinct sub-division : *Payne v. Goodyear*, 26 U. C. 448 ; *Brooke v. Campbell*, 12 Grant, 526.

If the Treasurer can take notice of land granted, though not returned as such, he must

take notice of the particular part of the lot so granted, and he must apply the payments made to him on the part so granted : *Peck v. Munro*, 4 C. P. 363.

See also as to payment, *Allan v. Hamilton*, 23 U. C. 109.

9.—DESCRIPTION OF LANDS.

The Sheriff's deed described the land sold as "eighty-nine acres of the south part of twenty five in the second concession of the Township Carlotenburgh:" it was held insufficient, for want of the proper boundaries defining the precise locality : *McDonell v. McDonald*, 24 U. C. 74. See also *Cayley v. Foster*, 25 U. C. 405 ; *Knaggs v. Ledyard*, 12 Grant, 320 ; *Fraser v. Mattice*, 19 U. C. 150 ; *Catley v. Foster*, 25 U. C. 405.

A description of thirty acres of lot 15, in the seventh concession of Osnabruck, to be measured according to Statute, "is sufficient under the 6 Geo. IV. ch. 7, sec. 13, the Sheriff not having exercised the option under 7 Wm. IV. ch. 19, sec. 5, to sell otherwise than according to the first Statute : *Frazer v. Mattice*, 19 U. C. 150 ; *McIntyre v. The Great Western Railway Company*, 17 U. C. 118.

10.—THE DEED.

Lands were sold under the 6 Geo. IV. ch. 7, but no deed was made of them while the act was in force ; it was held a deed could not be made after the repeal of the Act, as no provision was made for such a case ; *Bryant v. Hill*, 23 U. C. 69.

The like decision was pronounced as to sales made under the 13th & 14th Vic. ch. 67 ; *McDonald v. McDonell*, 24 U. C. 424.

(To be continued.)

JUDICIAL CHANGES.

The vacancy caused by the retirement of the President of the Court of Appeal from the position which he had so worthily held as Chief Justice of Upper Canada (of which more hereafter), has been filled by the appointment of the Hon. William Buell Richards, formerly Chief Justice of the Common Pleas. Mr. Justice Adam Wilson goes with him as Junior Puisne, and Mr. Justice Morrison, now becomes the Senior Puisne Judge in the same court, as he is also on the Common Law Bench. Mr. Justice Hagarty is transferred from the Queen's Bench to the Common Pleas, and becomes Chief Justice of the latter Court, while Mr. Justice John Wilson takes the