Of course every County Judge will act on his own views until there is some positive decision by the Superior Courts, but we sincerely trust that their discretion will be exercised in a way most conducive to the interests of suitors and the well-being of the community at large.

STATUTES OF PRACTICAL UTILITY.

We are pleased to see that McClear & Co. have now in press the Statutes of practical utility in the administration of Justice in Upper Canada. Such a work has long been a *desideratum* on circuit, and for convenient reference in the office.

It is edited by Mr. R. A. Harrison, which gives sufficient guarantee that it will be all it professes.

The size will be the same as Harrison's C. L. P. Acts. We refer to the Publisher's advertisement on another page The price 10s. seems very moderate indeed.

CHAMBER CASES.

Our Chamber Reports are again so numerous that we can only, as before, give notes of many of them, which want of space will not allow us to publish in full in this number:—

Gallena v. Cotton.

Attendance of witnesses before arbitrator.

An order compelling attendance of witnesses before arbitrator under 30th section of 7 Wm. IV, cap. 3, will be granted on an *ex parte* application upon affidavit that the cause has been duly referred; that arbitrator has appointed a certain day for proceedings, and that certain parties (giving their respective places of residence) are necessary and material witnesses for party applying.—*Per McLean, J., Nov.* 17.

Reischmuller v. Uberhorst.

Suggestion of plaintiff's death.

Leave to enter a suggestion of death of plaintiff and proceed under 210th section of the C. L. P. Act 1856, will be granted upon an *ex parte* application upon affidavit showing the nature and state of the action, and that the party applying is plaintiff's legal representative.—*Ib., Nov.* 18.

Ross et al v. Cook.

Absconding debtor—Proceedings where action commenced under old practice.

Where a warrant of attachment has been issued against an absconding debtor under the former practice, and the notice thereby required has been duly given previous to the C. L. P. Act 1856, a writ of attachment will be granted under the new act without new affidavits; and the service of the writ on some relative of defendant at his last place of residence, will be allowed good service.—*Ib., Nov.* 21.

Cataraqui Cemetery Company v. Burrowes.

Removal of suit from Division Court by Certiorari. 13 & 14 Vic., cap. 53. sec. 86.

A suit brought by an incorporated Company will be removed from a Division Court to one of the Superior Courts, if it be shown that difficult questions of law will arise on the trial as to the powers conferred by the act of incorporation.—*Ib. Nov.* 20.

Bouchier et al v. Patton et al.

Interlocutory judgment—Affidavit of merits.

An interlocutory judgment will in some cases be set aside upon an affidavit disclosing a good defence upon the merits, though not distinctly swearing "that the defendant has a good defence to the action upon the merits."—*Ib., Nov.* 21.

Buchanan v. Ferris.

Absconding debtor—Action commenced under old practice.

Upon its being shown that a warrant of attachment was issued and notice duly given under the old practice, a writ of attachment according to the C. L. P. Act 1856 will be granted, and service thereof on a relative of defendant at or near his last place of residence, will be allowed good service.—*Ib., Nov.* 22.

Macpherson v. Norris.

Practice—Interpleader—Costs of feigned issue.

Where a feigned issue is directed upon an interpleader application, and is found against the claimant, the execution creditor will, on the production of the record, obtain an order of course for the payment by claimant of all costs incurred in consequence of his claim.—*Ib., Nov.* 24.

Maitland v. Brown.

Judgment as in case of non-suit—Enlargement of peremptory undertaking.

An application to discharge a peremptory undertaking to go to trial, and for leave to enter judgment for defendant as in case of a nonsuit, may be met by showing that the absence of necessary and material witnesses, whose testimony plaintiff could not procure, prevented his going to trial.—*Per Burns J., Dec.* 3.

Irvine v. Mercer et al.

Oral examination of judgment debtor—C. L. P. Act. 1856, section 192.

An affidavit on which to apply for the oral examination of a judgment debtor should show that an execution has been issued and acted upon.—*Per Richards, J., Dec.* 8.

Carter v. Carry et al.

Practice—Oral examination of judgment debtor—C. L. P. Act 1856, sec. 192.

The proceedings for the oral examination of a judgment debtor shall be by summons and order: an order will not be granted in the first instance upon an *ex parte* application.—*Ib.,* Dec. 9.

Wilson v. Downing.

Practice—Bail—Effect of final order of Insolvent Court.

A Final Order in Bankruptcy discharging a debtor from his liabilities is a sufficient release of his bail to the limits upon a judgment recovered previous to the presentment of his petition, and it is not necessary to enter an *exoneratur* on the bail-piece.—*Ib., Dec.* 9.