

FERGUSON, J., was also of opinion, upon the evidence, that the defendant was not about to quit Ontario with intent to defraud, and, acting upon both grounds, discharged the defendant from custody.

E. D. Armour for defendant.

Wm. Macdonald for plaintiff.

BOYD, C.]

[April 1.

IN RE BRONSON AND CANADA ATLANTIC R.
W. Co.

Costs—Expropriation of land by railway company—“Costs incidental to the arbitration.”

In expropriation cases the costs should be taxed liberally in favor of the proprietor; but where the statutes mention “costs” only, and not “full costs,” costs as between solicitor and client are not intended.

And where a railway company, in expropriating land under the Dominion Railway Act, agreed to pay the land-owners “all costs incidental to the arbitration” had to fix the compensation to be paid;

Held, that the words did not extend to costs as between solicitor and client, nor to costs preliminary to the arbitration.

Arnoldi, Q. C., for land-owners.

Shepley for Railway Co.

Appointments to Office.

COUNTY JUDGE.

Leeds.

Herbert Stone McDonald, of Brockville, Judge of the County Court of the United Counties of Leeds and Grenville, to be a member of the Board of County Judges constituted under R.S.O., c. 51, s. 298, *vice* James Daniell, Esq., Judge of the County Court of the United Counties of Prescott and Russell, deceased.

POLICE MAGISTRATE.

Perth.

Joseph Egbert Terhune, of Listowel, Barrister, to be Police Magistrate in and for the Town of Listowel, without salary.

ASSOCIATE CORONERS.

Essex.

George McKenzie, of Essex, Doctor of Medicine, to be an Associate Coroner in and for the County of Essex.

Wentworth.

James Ross, of Dundas, Doctor of Medicine, to be an Associate Coroner within and for the County of Wentworth, *vice* Allan Holford Walker, M.D., removed from the County.

District of Algoma.

John Carruthers, of Little Current, Doctor of Medicine, to be an Associate Coroner within and for the Provisional Judicial District of Algoma.

DIVISION COURT BAILIFFS.

Kent.

Alexander Cuthbert, of Dresden, to be Bailiff of the Third Division Court of the County of Kent, *vice* John Gillespie, resigned.

Welland.

Elias Augustine, of Humberstone, to be Bailiff of the Sixth Division Court of the County of Welland, *vice* Adolphus Boyer, deceased.

COMMISSIONER FOR TAKING AFFIDAVITS.

Howard Rumney, of 17 and 18 Basinghall Street, London, England, Solicitor, to be a Commissioner for taking Affidavits within and for the City of London, England, and not elsewhere, for use in the Courts of Ontario.