

Held, also, that the court might take judicial notice of the provision in the Northwest Territories Act, R.S.C., c. 50, introducing the laws of England as they stood on the 15th of July, 1870, save as repealed, altered, varied, modified, or affected by subsequent legislation; but not of any alteration in those laws made by the Legislature in the Northwest Territories since the 18th of February, 1887, the date of the proclamation of the Governor-General, bringing into force the Act 49 Vict., c. 25, s. 32, by which the appellate jurisdiction of the Court of Queen's Bench of Manitoba in respect of the Northwest Territories was taken away.

Decree for receiver and sale of the mortgaged railway.

Ewart, Q.C., and *Wilson* for the plaintiffs.

Tupper, Q.C., and *Phippen* for the defendants.

KILLAM, J.]

STOVER v. MARCHAND.

[April 27.

The Real Property Limitation Act applies to rights and causes of action which existed prior to the date of its coming into effect.

The short point decided in this case was whether the Real Property Limitation Act, R.S.M., c. 89, applies to rights and causes of action or suit which existed or accrued prior to the date when the Act commenced and took effect, namely, 1st January, 1885. The Act was passed in 1883.

The plaintiff's claim was for foreclosure of a mortgage of which the principal and interest fell due on the first day of January, 1884; no sum had been paid on account of principal and interest; and the mortgagor and his heirs continued in possession up to the time of the filing of the bill in March, 1894. Plaintiff's counsel contended that as the Act did not commence and take effect until the 1st of January, 1885, it did not apply to causes of action and rights which accrued before that date.

Held, on the authority of *Doe d. Bennett v. Turner*, 7 M. & W. 226, and *Doe d. Jukes v. Sumner*, 14 M. & W. 39, that the statute was intended to apply to all rights and causes of action whatever, whether they existed or accrued before or after the time of the Act coming into effect.

Patterson and *Baker* for the plaintiff.

Hough, Q.C., for Mrs. Marchand.

Wade for the infants.

Appointments to Office.

SHERIFFS.

County of Hastings.

George Frederick Hope, of the City of Belleville, Esquire, to be Sheriff for the County of Hastings.

CORONER.

District of Parry Sound.

John Robinson Stone, of the Town of Parry Sound, in the District of Parry Sound, Esquire, M.D., to be an Associate-Coroner within and for the said District of Parry Sound.