exempt under s. 29 of the Executions Act, from seizure under execution.

Held, following Field v. Hare, 22 A.R. 449, that the defendant was entitled to hold his mortgage as regards all goods mentioned in it which would be so exempt, and that the plaintiff was entitled to have the mortgage set aside as to the remaining goods.

Hudson and Noble, for plaintiff. McKay, for defendant.

Province of British Columbia.

SUPREME COURT.

Hunter, C.J.]

PARROT v. CHEALES.

[May 28.

Practice-County Court action transferred to Supreme Court.

The order transferring an action from the County Court to the Supreme Court takes effect as soon as pronounced.

W. N. Bole, K.C., for the application. Kennedy, contra.

Hunter, C.J.]

REX v. LABOURDETTE.

[May 28.

Criminal law—Concealing with intent to escape from prison— Attempt and intent—Plea of guilty, striking out.

Where the accused was indicted for "concealing himself with intent to escape from the penitentiary,"

Held, that as the criminal act consists in an attempt to commit an offence, doing something with intent to commit the offence is not necessarily sufficient to constitute an attempt.

Where the accused pleads guilty to a charge and it is disclosed that the indictment alleges only a fact which might or might not, according to the circumstances, be sufficient to prove an offence, the plea of guilty will be struck out.

McQuarrie, for the Crown. Prisoner undefended.

Wilson, Local J.]

June 8.

IN RE RELIANCE GOLD MINING & MILLING CO.

Land Registry Act, s. 89—Surface rights of mineral claim— Registration.

The grant from the Crown to the surface rights of a mineral