

gratifying. In 1834 the assessment of the new city was only \$934,000; in 1884 the assessment of Toronto is \$65,222,950. In 1834 the population was 9,200; in 1884 it is 95,000. In 1882 the "Libraries Act of Ontario" was passed. This Act empowers municipalities to raise funds for library purposes to the extent of one-half mill on the dollar on the assessable property. In 1883 the Council put the question to the people, and it was decided by a majority of 2,543 out of about 8,000 votes cast to establish a public library. With such a majority to back them the Council at once voted \$50,000 towards the scheme, and purchased the Mechanics' Institute at a cost of \$21,000. A library board was appointed, consisting of the Mayor, three representatives from the Council, three from the Public School Board, and two from the Separate School Board. Mr. Hallam was chosen chairman, and submitted a scheme as a basis for the establishment of the library, and his proposal, after being considerably modified before it met with the approval of the board, was finally adopted.

NOTES OF CASES.

COURT OF QUEEN'S BENCH.

[In Chambers.]

MONTREAL, March 17, 1884.

Before DORION, C. J.

DORION, appellant, and DORION, respondent.
Factum—Taxation of Costs.

The rate of two dollars per page allowed by usage for cost of printing factum in appeal will not be reduced though it be shown that the actual disbursement was less than that sum.

A motion was made for the reduction of the item for printing factum, viz., \$2 per page. An affidavit was produced that the amount actually disbursed therefor was only \$1 per page.

DORION, C. J., held, in accordance with previous rulings, that the amount allowed for this service, viz., \$2 per page, could not be reduced, though a less sum had been paid.

Motion rejected.

P. A. A. Dorion, for motion.

Pagnuelo, Q. C., contra.

COURT OF QUEEN'S BENCH.

QUEBEC, Feb. 8, 1884.

MONK, RAMSAY, TESSIER, CROSS & BABY, JJ.

GAILLOUX et al. (*mis en cause* in the Court below,) Appellants, and BUREAU (petitioner in Court below) Respondent.

Deterioration of property seized—C.C.P. 646—Abandonment.

The defendant, in making an abandonment, reserved buildings constructed by him on the property after the plaintiff got his mortgage. Held, that the reservation had no effect, and that the removal by defendant of the buildings while the property was under seizure was a deterioration within C.C.P. 646.

The appeal was from a judgment of the Court of Review, Quebec, 30 April, 1883, reversing a judgment in Chambers of Bourgeois, J., at Three Rivers, 8 February, 1883.

The judgment in chambers was as follows:—

"Nous, soussigné, etc.,

"Considérant que l'immeuble saisi en cette cause et décrit à la dite requête du dit demandeur, a été délaissé en cette cause par le dit défendeur, sous la réserve des bâtisses érigées par le dit défendeur sur le dit immeuble, et que le dit demandeur a accepté le dit délaissement, et a fait nommer un curateur au dit délaissement;

"Considérant que le dit immeuble a été saisi sur le dit curateur, et que le shérif ne pouvait pas vendre sur le dit curateur, plus qu'il a été délaissé par le dit défendeur;

"Considérant que le tiers non tenu personnellement qui délaisse a le droit de réclamer ses impenses et améliorations utiles et nécessaires faites par lui sur l'immeuble délaissé, et que ce droit peut s'exercer par l'enlèvement de telles impenses et améliorations, si cet enlèvement peut se faire sans dégrader l'héritage;

"Considérant que les bâtisses que le dit défendeur a enlevées étaient des impenses par lui faites sur le dit immeuble, et qu'il s'était réservées par son acte de délaissement;

"Considérant que le dit immeuble est borné d'un côté à un immeuble appartenant