one such application the Court of Appeal made an order " that the said applicants, or any of them, be not allowed to make any further applications in these actions, or either of them, to this Court, or to the Court below, without the leave of this Court being first obtained, and if notice of any such application shall be given without such leave being obtained, the respondent shall not be required to appear upon such application, and it shall be dismissed without being heard." This was followed by the case of Mrs. Davies, 21 Q. B. Div. 236, against whom a somewhat stronger order was made, viz., "That the said Maria Anne Davies be not allowed to issue any writ of summons, or make any application against any person or persons without the leave of a judge at chambers being first obtained. And if any notice of any application or motion be given without such leave being first obtained. . . . the respondent shall not be required to appear unless the Court shall otherwise order." This order has been acted on several times, and the Court have refused to hear applications made by Mrs. Davies without leave having been first obtained. The weakness of such orders is that they are themselves subject to appeal, and they cannot be made to bind any higher court than that in which they are made. An unfortunate defendant may still be dragged from court to court by a determined plaintiff, and he would be bound to appear in any court above that in which the order was made. It would be very desirable to give a judge at chambers a general power to make orders restraining all further proceedings by a party without leave, and relieving any other parties from the necessity of appearing upon appeals from such orders.

3. We must also notice that the Court will grant an injunction restraining a party from taking proceedings of a particular kind in violation of an enforceable agreement not to take such proceedings: *Besant* v. *Wood*, 40 L. T. Rep. N. S. 445; 12 Ch. Div. 605, 630, or other entirely unjustifiable proceedings, *Cercle. Restaurant* v. *Lavery*, 18 Ch. Div. 555.

4. When a frivolous or vexatious appeal is made to the Court of Appeal the appellant may be ordered to give security for costs:

Usill v. *Hales*, 47 L. J. C. P. 380, and a party is generally required to do so before appealing to the House of Lords.

5. In the cases of persons suing *in forma pauperis* the court has power to dispauper a party who conducts vexatious proceedings, and he may then be put upon terms as to costs, or compelled to give security, just as other persons may be: *Hawes* v. *Johnson*, 1 Y. & J. 10.

6. A defendant, against whom proceedings are taken maliciously, and without probable cause, has also remedy by action if he can show special damage: *Quartz Hill Company* v. *Eyre*, 49 L. T. Rep. N. S. 249, 50 Ib. 27; 11 Q. B. Div. 674. But, as may well be supposed, this remedy is not often resorted to.—*Law Times*, (London.)

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.

LONDON, July 25, 1889.

Present :—LORD WATSON, LORD BRAMWELL, LORD HOBHOUSE, SIR BARNES PEACOCK, SIR RICHARD COUCH.

THE CORPORATION OF THE TOWN OF ST. JOHN'S, APPELLANT, AND THE CENTRAL VERMONT RAILWAY CO., RESPONDENTS.

Railway bridge and railway track—Assessment of—40 Vict. (Q.) ch. 29, secs. 326 & 327—Injunction—Extension of town limits to middle of navigable river—Intra vires of local legislature—43-44 Vict. (Q.) ch. 62.

HELD :—(*Affirming the judgment of the Supreme Court of Canada, 14 Can. S.C. R. 288), that the portion of the railway bridge built over the Richelieu river, and the railway track belonging to the company, appellants, within the limits of the town of St. John's, are exempt from taxation under secs. 326-327 of 40 Vict. (Q.) ch. 29, although no return had been made to the council by the company, of the actual value of their real estate in the municipality.*

2. *That a writ of injunction was the proper remedy to enjoin the corporation to desist from all proceedings to collect assessments illegally imposed.*

3. *That the clause in the Act of Incorporation of the town of St. John's, P.Q., extending the*