

mere slewing of the sleigh upon a comparatively level road. The ridge was not a dangerous obstruction in the highway. It could not be said that a travelled road, even if more used than this was, in a township, even more thickly populated and more highly assessed than this, of only 14 feet in width, was so narrow as to render the township corporation liable. The learned Judge assesses the damages of the plaintiff at \$300, for the purpose of avoiding a new trial if a higher Court should be of opinion that the defendants are liable. He is of opinion that they are not liable, and dismisses the action with costs. Charles Millar and J. Carruthers, for the plaintiff. V. A. Sinclair, for the defendants.

MILLER V. PARK—TEETZEL, J., IN CHAMBERS—NOV. 1.

Jury Notice—Striking out before Trial—Discretion.]—Motion by the plaintiff to strike out the jury notice filed and served by the defendants. The action was to recover possession of land, upon default in payment of rent. The only issues to be tried were, whether any rent was in arrear for non-payment of which the plaintiff would be entitled to possession, and whether the defendants were entitled to any notice or demand of possession, and, if so, whether it was given or made. The learned Judge said that, having regard to well-settled trial practice in this province, this case was plainly one the issues in which no Judge of the High Court would try with a jury, and therefore it falls within one of the classes indicated by Britton, J., in *Hurdman v. Gall Lumber Co.*, 14 O. W. R. 143, for the exercise of the discretion of a Judge in Chambers in favour of ordering the jury notice to be struck out. Order accordingly. Costs in the cause to the plaintiff only. A. J. Russell Snow, K.C., for the plaintiff. W. M. Hall, for the defendants.

RE REX V. HAMLINK—SUTHERLAND, J., IN CHAMBERS—NOV. 3.

Prohibition—County Court Judge—Appeals from Convictions—Costs.]—Motion by Derrick F. Hamlink for an order prohibiting one Baker, the informant, and the Judge and clerk of the County Court of Huron, from taking further proceedings upon certain orders made by the Judge dismissing the applicant's appeals from three convictions made against him on the 11th January, 1910, by the Police Magistrate for the Town of Goderich,