

Equity Decisions, p. 352, and that the form is suitable for a good title or a limited one, and a more specific reference to the title is not made.

T. J. Wallace, for appellant. *H. McInnes* and *J. A. Kenny*, for respondents.

Province of New Brunswick.

SUPREME COURT.

En Banc.] SUNBURY AND QUEENS ELECTION CASE. [June 14.]

Election petition—Service—Order extending time.

An order may be made extending time for personal service of an election petition after the expiration of the ten days prescribed by s. 10 of the Dominion Controverted Elections Act. Motion to rescind order refused.

J. D. Hazen, K.C., and *L. A. Currey*, K.C., for petitioner. *A. O. Earle*, K.C., and *W. Pugsley*, Attorney-General, for respondent.

En Banc.] JACK V. BONNELL. [June 14.]

Action on limit bond—Proof of jurisdiction of inferior court.

In an action on a limit bond given by the defendants in a suit in the city of Saint John Civil Court the plaintiff relied upon the record of the proceedings in the inferior court to prove its jurisdiction.

Held, on motion to reverse the verdict or for a new trial that the record of the inferior court was not admissible for the purpose, and that proof of the jurisdiction of the court must be made independently of the proceedings in the inferior court. Judgment for defendant.

C. J. Coster, for plaintiff. *W. B. Wallace*, K.C., for defendant.

En Banc.] JACK V. JOHNSTON. [June 14.]

Action against married woman—Whether necessary to prove separate property.

It is not necessary in an action against a married woman under the Married Woman's Property Act, 58 Vict., c. 24, to allege or prove that she has separate property. Appeal from St. John County Court dismissed with costs.

Scott E. Morrill, for appellant. *D. Earle*, K.C., contra.

En Banc.] POTTER V. MORRISSY. [June 14.]

Action on promissory note—Production—Proof of holder.

Production at the trial of a promissory note in the hands of the plaintiff so that he may deliver it up is sufficient proof of his being the holder. Appeal from St. John County Court allowed with costs.

C. J. Coster, for appellant. *W. C. Winslow*, contra.