

JUDGMENTS.

QUEEN'S BENCH.

Present: McLEAN, C. J.; HAGARTY, J.

December 15, 1882.

Ash v. Somers.—Trespass. Judgment for plaintiff on special case.

In re Clerk of Peace of York and Peel and Clerk of the Recorder's Court in and for the City of Toronto.—Rule nisi for mandamus discharged. Clerk of the City Council held to be Clerk of the Peace in and for the City of Toronto for jury purposes.

Lynch v. Wilson et al.—No judgment on second plea. Court divided in opinion. Judgment for defendants on third plea.

Corporation of London and Corporation of Middlesex.—Postea to plaintiffs.

Reid v. Trayner.—Judgment for plaintiff on demurrer.

Ex parte Roblin and United Counties of Frontenac, Lennox and Addington.—Rule discharged.

Van Brocklin v. Town of Brantford.—Rule discharged without costs.

Adams v. Nelson.—Nonsuit to be entered.

Sexton and Port Whitby Road Co.—Rule discharged.

Strange v. Dillon.—Appeal dismissed.

Bell v. Oliver.—Appeal dismissed.

McCollum v. McKinnon.—Rule absolute.

Crooks v. Bores.—Judgment for plaintiff on demurrer.

Ex parte School Trustees of Escott.—Rule absolute for mandamus.

Moore v. Gurney.—Rule discharged.

Mills v. Wigs.—Rule absolute for new trial on payment of costs.

In re Knowles.—Order for sale. Proceeds to be paid into court.

Ward v. Fenton.—Rule absolute for new trial upon payment of costs, unless plaintiff elect to reduce verdict.

Pearman v. Hyland.—Rule absolute for new trial on payment of costs.

Present: McLEAN, C. J.; HAGARTY, J.

December 20, 1882.

Woodruff v. Corporation of Peterborough.—Judgment for defendants. Postea to them. Leave to appeal.

Commercial Bank v. G. W. R. Co.—Action to recover \$1,500,000 Plea, never indebted. Rule nisi discharged.

Muma v. Niagara District Mutual Fire Insurance Company.—Rule nisi to set aside nonsuit discharged.

Goodwin v. Ottawa and Prescott Railway Co.—Rule absolute to enter nonsuit.

Bergin v. O'Neill.—Postea to defendant.

Shaver v. Linton.—Rule absolute for new trial without costs.

Regina v. Jerrett.—Rule nisi granted.

Mann v. Chamberlain.—Rule nisi refused.

Colgan v. Hayden.—Rule nisi granted.

COMMON PLEAS.

Present: DRAPER, C. J.; RICHARDS, J.; MORRISON, J.

December 15, 1882.

Hooker v. Gamble et al.—Rule absolute without costs.

Cameron v. Boulton.—Rule discharged.

Carruthers v. Reynolds.—Rule absolute to enter nonsuit. (Leave was reserved to move to enter a verdict for defendant in this cause, but upon the suggestion of counsel for plaintiff, the court, considering it had power to award the rule, ordered a nonsuit to be entered.)

Fisher v. Jamieson.—Postea to demandant. C. S. Paterson applies for leave to appeal. Granted.

Hodgins v. Hodgins.—The court desire to have the case re-argued.

Bright v. Ashton.—Appeal allowed. Rule to be made absolute to enter nonsuit.

Cook v. Christie et al.—Rule discharged.

Roberts v. King.—Appeal dismissed with costs.

Niblock v. McGregor.—Plea held bad, and rule nisi for new trial refused.

Lynes v. Sifton.—Appeal dismissed with costs.

Edwards v. Kerr.—Appeal dismissed with costs.

Macaulay v. Ashton.—Appeal allowed. Rule absolute for new trial. Costs to abide the event.

Hamilton et al v. Holcomb.—Rule absolute to enter verdict for plaintiffs.

Young v. Laidlaw.—Rule discharged.

Armstrong v. Bores.—Notice of action not sufficient. Plaintiff recommended to enter *stet processus*, else new trial.

Merrill v. Ellis.—Rule absolute. Verdict entered for defendant on 2nd and 3rd issues set aside on payment of costs by plaintiff, and replender granted.

Smart v. McBeth.—Judgment for plaintiff on demurrer. New trial not necessary.

Westbrooke v. Callaghan.—Judgment for plaintiff on demurrer.

Clark v. McKellar.—Rule discharged.

McLellan q. t. v. Brown.—Rule discharged.

McLellan q. t. v. McIntyre.—Rule discharged.

Anderson v. Romney.—Rule absolute for new trial, unless plaintiff consent to the entry of *stet processus*.

Titus v. Durkee.—Rule nisi granted.

Building Society v. McCurrey.—Rule absolute to enter verdict for plaintiffs.

Town of Clifton v. Hubbard.—Rule discharged.

Gaviller v. Beaton.—Rule absolute to set aside verdict for plaintiff and to enter verdict for defendant.

Smart v. Henry.—Rule absolute to enter a nonsuit.

Grimshaw v. White.—Plaintiff's proceeding irregular. Rule absolute.

Gartshore v. Williams.—Rule refused.

Present: DRAPER, C. J.; RICHARDS, J.; MORRISON, J.

December 20, 1882.

School Trustees of Elgin v. Township of Elgin.—Rule discharged with costs.

Moodie v. Dougall.—Action against defendant for damage sustained by sheriff, by defendant directing sheriff to seize goods.

Declaration held good. 2nd plea held bad.

Replication to 4th plea held bad. No connection shewn between the wrong doer and plaintiff, and plaintiff not shewn to be damaged. Judgment on the whole record for defendant.

Carveth v. Fortune.—Rule discharged. This was a rule nisi for nonsuit. The rule was discharged and award to stand.

Gibb v. Davidson.—Appeal allowed setting aside nonsuit, and new trial ordered. Costs to abide the event.

McFarlane v. Buchanan.—Action for use and occupation. Rule absolute to reduce verdict to seven pounds and four shillings.

Haldan v. Kerr.—Interpleader issue. Defendants, execution creditors of three persons, who, as executors carried on business together under power in will. The judgment was obtained against them in their individual capacity. They then made an assignment for benefit of creditors of estate of testator, and also individual assignments to plaintiffs, for benefit of their individual creditors. Held, that goods passed to plaintiffs. Postea to plaintiff.