

Re ROWLAND AND McCALLUM—RIDDELL, J., IN CHAMBERS—
DEC. 1.

Appeal—Leave to Appeal from Order of Judge in Chambers—Conflicting Decisions—Con. Rule 777 (3) (a).]—Motion by McCallum for leave to appeal to a Divisional Court from an order of MEREDITH, C.J.C.P., in Chambers (18th Nov., 1910) dismissing a motion by McCallum for prohibition to the Judge of the County Court of Huron in respect of a proceeding under the Drainage Act. RIDDELL, J.:—I need not reiterate the care which should be taken in applications of this sort to see that the matter comes fairly under the new Con. Rule 777 (1278). In the present case, I think that it can fairly be said that there are conflicting decisions—and though in one case the decisions are those of the Judges of the Court of Appeal, these should, I think, for the purpose of the Con. Rule be considered decisions of “Judges of the High Court.” I grant leave to appeal under Con. Rule 777 (3) (a). Costs in the appeal. H. S. White, for McCallum. W. Proudfoot, K.C., for Rowland.

*Re FOSTER AND TOWNSHIP OF RALEIGH—DIVISIONAL COURT—
DEC. 1.

Municipal Corporations—Powers of Licensing and Regulating—Billiard Tables—By-Law—License Fee—Prohibitive Amount—Revenue—Powers of Provincial Legislature.]—Appeal by Charles Foster from the order of MIDDLETON, J., 22 O.L.R. 2C, ante 65, dismissing a motion to quash a by-law. THE COURT (FALCONBRIDGE, C.J.K.B., BRITTON and RIDDELL, JJ.) dismissed the appeal with costs. J. M. Ferguson, for the appellant. J. G. Kerr, for the respondents.