Having now the record before them, their lordships are of opinion that the course thus suggested is no longer open. The judgment appealed from bears, *inter alia*, "That the motions by "the appellants (*i.e.*, the present respondents) for a new trial "and in arrest of judgment should be and the same were respec- "tively refused and dismissed." As it stands, that is an express adjudication upon the very point which the respondents desire to have reheard; and the Supreme Court of Canada can have no jurisdiction to review it. In order to meet that difficulty, the respondents suggested that the decerniture was inserted *per incuriam*, and that the Supreme Court might strike it out, upon a motion to correct their judgment; and they relied upon the circumstance that the point is not discussed in the opinion of Mr. Justice Taschereau. Without clear grounds for doing so, their lordships are not inclined to protract litigation, already excessive. Considering that all the judges, seven in number, who heard the motion in the Courts of Quebec Province were of opinion that the evidence warranted a verdict against the respondents, that one of them only thought the verdict ought to be disturbed, and that upon the single ground that the damages awarded were too large, their lordships see no reason to suppose that the judgment of the Supreme Court of Canada was incorrectly framed or that any injustice will be done by their finally disposing of the case at this stage.

Their lordships will therefore humbly advise Her Majesty to discharge the judgment appealed from, to restore the judgment of the Superior Court in review, dated the 31st January, 1889, and the judgment of the Queen's Bench in Appeal, dated the 19th June, 1890, and to order the respondents to pay to the appellant her costs of the appeal to the Supreme Court in the second trial. The respondents must also pay to the appellant her costs of this appeal.

Judgment reversed.

Hatton & McLennan, for appellant.
Abbotts, Campbell & Meredith, for respondent.