

## JUDGMENTS.

*Furnival v. Saunders.*—Rule absolute.

*Kinloch v. Hall.*—Rule discharged.

*Merrill v. Cousins.*—Rule absolute.

December 22, 1866.

*Bell v. Mills.*—Stands.

*The Queen v. The Canadian Welland Navigation Company.*—Rule nisi refused.

*Darling v. Hitchcock.*—Rule nisi refused. Leave to appeal granted.

*McLennan v. The Port Burwell Harbour Company.*—Rule nisi refused.

*Ockerman v. Clapp.*—Rule nisi refused.

*Price v. McCormick et al.*—Rule refused.

*Rastrick v. The Great Western Railway Company.*—Stands.

*Pomroy v. Wilson.*—Held, that a Court of Quarter Sessions sitting in appeal on a decision from a magistrate's conviction cannot reserve a point for the decision of one or other of the Superior Courts: so no decision given on the merits.

*Clarke v. Chipman.*—Held, that in order to sustain an action for money paid, it is enough to show a virtual though not an actual payment of money. Rule discharged.

*Bank of Upper Canada v. Owen.*—Held, that a venue laid in "the United Counties of," &c., and not County of, &c., one of the United Counties of," &c., not sufficient. Judgment for defendant on demurrer. Leave to amend on payment of costs.

*Unitarian Congregation v. The Western Assurance Company.*—Postea to plaintiffs.

*Rathwell v. Rathwell.*—Rule absolute to enter verdict for plaintiff for \$219.

*Scratch v. Jackson.*—Stands till next term.

*Souter et al. v. Hagaman.*—Rule absolute for new trial, on payment of costs before 1st day of next term, otherwise rule discharged.

*Gore Bank v. Meredith et al.*—Rule absolute to enter nonsuit.

*In re Hyland and the Judge of the County Court of the County of Hastings.*—Rule discharged.

*Bickell v. Mathewson et al.*—Rule absolute, with costs to abide the event, including costs of the special case.

*Hodgins v. Graham.*—Rule absolute.

*Jonas v. Seaton.*—Rule absolute with costs.

*Clissold v. Machell.*—Rule absolute to extend the time for delivery of appeal on payment of costs.

### •COMMON PLEAS.

Present — RICHARDS, C. J.; ADAM WILSON, J.; JOHN WILSON, J.

December 17, 1866.

*Buchanan v. Harres.*—Rule discharged.

*Bannerman v. Dewson.*—Rule discharged.

*Lewis v. Kelly.*—Rule discharged.

*Anderson v. Orchard.*—Rule discharged.

*Carscallan v. The Corporation of the Township of Saltyet.*—Judgment for plaintiff on demurrer,

with liberty to defendants to amend on payment of costs within four weeks.

*Miller v. Miller.*—Judgment for plaintiff on demurrer to second and third pleas.

*Black v. Allan.*—Rule absolute to enter verdict for defendant.

*Glass v. O'Grady.*—Rule discharged.

*Commercial Bank v. Colton et al.*—Judgment for plaintiffs on demurrer.

*Wiseman v. Williams et al.*—Judgment for plaintiff on demurrer. Plaintiff's rule discharged. Defendant's rule refused.

*Merner v. Klein.*—Rule absolute for new trial. Costs to abide the event.

*Stabler v. Linster.*—Rule refused.

*In re Lennox and the Police Commissioners of the City of Toronto.*—Held, that Police Commissioners have no power to pass by-laws or regulations imposing penalties for non-compliance with their by-laws or regulations. Rule absolute to quash conviction.

*Furnival v. Saunders.*—Rule absolute for a prohibition.

*Kinloch v. Hall.*—Held that a plaintiff, although deprived of all cost, in respect of his verdict under sec. 324 of the C. L. P. Act, may yet have full costs on a successful demurrer to pleas of the defendant. Rule discharged, but as the point a new one, without costs.

*Cousins v. Merrill.*—Rule absolute, without costs.

December 22, 1866.

*In re Leys v. McPherson.*—Appeal from the decision of the Judge of the County Court of the United Counties of York and Peel allowed, and rule nisi in the court below to be discharged.

*Killbride v. Cameron.*—Stands for production of exhibits.

*Cosford v. Drew.*—Defendants' amendment upon payment of 25s. costs, and their judgment for defendants without costs.

*Miller v. Wiley et al.*—Judgment for defendant.

*Meyers v. Brown.*—Held, that if taxes be validly paid before sale of lands for taxes the sale is void. Judgment for plaintiff on special case.

*The Queen v. Hall.*—Judgment for defendant.

*Wright v. Skinner.*—Rule absolute to enter a nonsuit.

*McCurdy v. Swift.*—Rule absolute.

*The Queen v. Atkinson.*—Conviction affirmed.

*Flood v. The Great Western Railway Company.*—Leave to appeal granted.

Bacon left a will appointing six executors, but no property except his name and memory, which he bequeathed to "men's charitable speeches, to foreign nations, and the next age."

Lord Clarendon had nothing to leave his daughter but his executor's kindness; and Lord Nelson left neither a will of real or personal estate behind him, although he bequeathed his adopted daughter to the beneficence of his country.