

Allison Smith, James S. McDonald, G. P. Payzant, Hon. Alexander McFarlane, and George C. Wiggins, and that unless you do, the plaintiff will give secondary evidence of the contents of said letter.

Dated this 1st day of May, A. D. 1880.

ROBERT MOTTON,
Attorney of Plaintiff.

To the Defendants or their Attorney.

HALIFAX, SS. IN THE SUPREME COURT, 1880.

HERBERT CROSSKILL, *Plaintiff.*

vs.

THE MORNING HERALD PRINTING AND PUBLISHING COMPANY, *Defendants.*

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I, Otto S. Weeks, of the City of Halifax, in the Province of Nova Scotia, Barrister-at-Law, of counsel with the plaintiff herein, make oath and say as follows, that is to say:—

1st. I did personally serve a copy of the annexed notice to produce on Robert Seidgwick, Esq., the attorney of the defendant company herein, on Saturday, the first day of May A. D. 1880, by delivering the same to him in open Court.

OTTO. S. WEEKS.

Sworn to at Halifax, in the County of Halifax, this
3rd day of May. A. D. 1880, before me.

(Signed) C. S. HARRINGTON,
Commissioner Supreme Court, County of Halifax.

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RULE NISI FOR APPEAL.

HALIFAX SS. IN THE SUPREME COURT, 1880.

CAUSE.—HERBERT CROSSKILL, *Plaintiff.*

vs.

THE MORNING HERALD PRINTING AND PUBLISHING COMPANY, *Defendant.*

Upon reading the minutes of evidence in this cause, and the pleadings, and on motion,—

It is ordered that the verdict for the plaintiff herein (being a verdict for three thousand dollars damages) be, and the same is hereby set aside, with costs, on the following grounds:—

1. Because the said verdict is against law.
2. Because the said verdict is against evidence.

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