

from taking or using the waters of the river, or from interfering with the flow of the river, otherwise than as authorized by the Act. This relief, though denied to them by the Irish Court of Appeal, the House of Lords (Lords Halsbury, C., Watson and Macnaghten) held they were entitled to, notwithstanding that the plaintiffs proved no actual damage to have resulted from the defendants' action. The decision, however, was not unanimous, Lords Morris and Hannen being dissentients, not from the general principle laid down by the majority of their lordships, but on the ground that the Act did, in fact, authorize some deviations from the plan laid down and that some of the work complained of was within the limits of the deviation thus authorized.

AMENDMENT—ACCIDENTAL SLIP IN JUDGMENT—JUDGMENT ON BOND—INTEREST ON BOND BEYOND PENAL SUM—(ONT. RULE 780).

*Hatton v. Harris*, (1892) A.C. 547, was an appeal from the Irish Court of Appeal. The appeal involved the question as to how far an accidental slip in a judgment, pronounced in 1853, could be amended. The facts which gave rise to the appeal were that, in 1842, the plaintiff's testatrix had recovered judgment on a bond for £1000, conditioned for payment of £500 and interest. Subsequently the claim on this judgment was proved against the debtor in a suit by other judgment creditors, in which, in 1853, a decree was made declaring the testatrix entitled to a charge against the land of the debtor for the amount of her judgment, with interest "until paid." It was contended, and practically conceded, that the judgment ought to have contained the words, so far as the testatrix's claim was concerned, "the principal sum and interest not to exceed the amount of the penalty on the bond"; and a subsequent incumbrancer on the debtor's land claimed that the decree of 1853 should be amended by the insertion of those words. The House of Lords (Lords Herschell, Watson, Macnaghten, and Field) unanimously affirmed the Irish Court of Appeal in granting this amendment, and held that the mistake was obviously an accidental slip within the meaning of the rule of the Supreme Court (Ireland), Ord. xxviii., r. 1 (Ont. Rule 780), and amendable notwithstanding the lapse of time.