

being given. — *C. B. R. 1871. Kelly v. Haughton, 16 J. 170.*

4. Il n'y a pas d'appel de la décision du juge en chambre sur une requête pour reviser la taxe d'un mémoire de frais. — *C. B. R. 1899. Co de Chemin de Fer de la Vallée Est v. Mémard, 3 R. P. 133; R. J. 11 B. R. 1.*

5. A recount before a judge of the Superior Court of the votes given at a Dominion election is not a judicial but a ministerial and executive proceeding. There is no right of appeal from such a judge's order concerning such a proceeding to the Court of Queen's Bench. — *C. B. R. 1900. Meigs v. Comana, 3 R. P. 307; R. J. 10 B. R. 50.*

6. No appeal lies from a decision of a judge of the Superior Court, rejecting a petition of the City of Montreal for homologation of a report of expropriation commissioners, under section 439 of 62 Viet. cap. LVIII, and, as a consequence, an inscription for review of such a decision will be rejected on motion. — *C. R. 1905. The City of Montreal, petitioner and Demoran respondent, R. J. 27 C. S. 259.*

43. A moins qu'il ne soit autrement édicté par statut, il y a appel à la cour du banne du roi siégeant en appel de tout jugement final rendu par la cour supérieure, excepté:—

1. Dans les cas de *certiorari*;

2. Dans les matières concernant les corporations municipales ou offices municipaux, tel que porté en l'article 1006;

3. Dans les causes où la somme demandée ou la valeur de la chose réclamée est de moins de cinq cents piastres;

4. A la poursuite de la partie qui a inscrit en revision une cause dans laquelle la somme demandée ou la valeur de la chose réclamée est de cinq cents piastres ou plus, et qui a procédé à jugement sur cette inscription, lorsque ce juge-

7. An appeal does not lie to the Court of King's Bench from a judgment of the Superior Court on an appeal, to it, from the award of arbitrators in an expropriation matter under sect. 209 of the Dominion Railway Act, ch. 37, R. S. C., 1906. — *C. B. R. 1909. Vallières v. The Ontario & Quebec Railway Co., R. J. 19 B. R. 521.*

8. A petition to the Superior Court of which the conclusions are; that an award by arbitrators, in expropriation, proceedings, under the Canada Railway Act (chap. 37 R. S. C., 1906), be set aside, as irregular and insufficient, and, also, that the court make the award that should have been made, is an appeal to that court, and no further appeal to the Court of King's Bench will lie from the judgment thereon. Such a petition cannot be treated as an action to have the award set aside, from the judgment upon which such an appeal might lie. — *C. B. R. 1912. Rolland v. The Grand Trunk Railway Co. of Canada, R. J. 19 B. R. 389.*

9. *V. sur la non-rétroactivité des lois concernant le droit d'appel, sous l'art. 1, nos. 9 et 8.*

43. Unless where otherwise provided by statute, an appeal lies to the Court of King's Bench, sitting in appeal, from any final judgment rendered by the Superior Court, except:

1. In matters of *certiorari*;

2. In matters concerning municipal corporations or offices as provided in article 1006;

3. In matters in which the sum claimed or value of the thing demanded is less than five hundred dollars;

4. At the suit of the party who has inscribed in Review a cause in which the sum demanded or the value of the thing claimed amounts to or exceeds five hundred dollars, and who has proceeded to judgment on such inscription, when