

DIARY FOR MARCH.

1. Sat.....St. David.
2. Sun.....Second Sunday in Lent.
3. Mon.....Serfdom abolished in Russia, 1863.
4. Tues.....Court of Appeal Sits. General Sessions and County Court Sittings for trial in York.
5. Wed.....York changed to Toronto, 1834.
6. Sun.....Third Sunday in Lent.
7. Mon.....Prince of Wales married, 1863.
8. Tues.....Lord Mansfield born, 1704.
9. Wed.....Fourth Sunday in Lent.
10. Thurs.....St. Patrick's Day.
11. Mon.....Arch. McLean, 8th C.J. of Q.B., 1862. Princess Louise born, 1848.
12. Tues.....Fifth Sunday in Lent.
13. Sun.....Bank of England incorporated 1694.
14. Mon.....Canada ceded to France 1632.
15. Tues.....Palm Sunday. B.N.A. Act assented to 1867.
16. Wed.....Reformation in England began 1534.
17. Thurs.....Slave Trade abolished by Britain 1807.

Early Notes of Canadian Cases.

SUPREME COURT OF JUDICATURE  
FOR ONTARIO.

HIGH COURT OF JUSTICE.

Common Pleas Division.

GALT, C.J.] [Oct. 26, 1889.  
DAWSON v. SAULT STE. MARIE.

*High schools—Incorporated town in judicial district—Right to appoint high school board, and erect school—Necessity of appointment by by-law—Sufficiency of—Proof of ownership of land—Appropriation of money.*

On a motion to continue an injunction to restrain the corporation of S. in the judicial district of Algoma, from paying over to the High School Board of said town, and the said board from receiving the sum of \$15,000, raised by by-law of said town for acquiring a site and erecting a high school thereon,

*Held*, that under the provisions of ss. 4 and 10 of R.S.O., c. 226, taken in connection with s. 1 of 50 Vict., c. 64 (O) incorporating said town, the corporation were authorized to appoint a high school board therefor, and to pass the by-law for the erection of said school; and that the consent of the Lieutenant-Governor, provided by s. 8, was not required, as this was not an additional high school.

*Held*, also, that the appointment of the board must be by by-law, but a by-law therefor passed after the motion was made but before the hearing thereof was sufficient.

The Court refused to entertain an objection

that the board were about to build the school on land not acquired by them, for it would not be assumed that the money would be spent until the title to the land had been acquired; and also, it was not necessary to shew that specific portions of the \$15,000 had been appropriated to the purchase of the land and the erection of the building.

*Shepley* for plaintiff.

*Masten* for defendants, the town of Sault Ste. Marie.

*Douglas* for defendants, the High School Board.

ARMOUR, C.J.]

[Dec. 24, 1889.

MAXWELL v. SCARFE.

*Creditors' Relief Act—Entry by sheriff of moneys received under execution—Forthwith, meaning of.*

*Held*, that the word "forthwith" contained in s. 4 of the Creditors' Relief Act, R.S.O., c. 65, with reference to the entry of money levied under execution, under the circumstances under which it is used, and to the purposes and provisions of the statute, and abuses which different construction would give rise to, must receive a strict construction and means without any delay; but even if it should receive a free construction and be equivalent to "within a reasonable time," the sheriff did not in this make the entry within such time.

*John Crerar* for plaintiff.

*Heyd* for defendant.

ROSE, J.]

[Nov. 16, 1889.

CAMERON v. CUSACK.

*Sale to defeat creditors—Setting aside—Seduction—Exemplification of judgment.*

C. knowing that a claim was to be made against him by W. C., for the seduction of his daughter, some six days before the writ issued therefor, arranged with his brother, who was aware of all the facts, to sell out to him his estate, receiving for himself \$150, and to apply the balance in payment of his liabilities, but the intention was not to acknowledge or treat W. C.'s claim as a liability. W. C. proceeded with his action and recovered judgment.

*Held*, that W. C. was a creditor within the meaning of the statute; and the sale having been made with intent to defeat W. C.'s claim, the sale must be set aside.