

Prac.]

NOTES OF CANADIAN CASES—LAW SOCIETY OF UPPER CANADA.

PRACTICE.

Wilson, C. J.]

[May 6.

RE MONTAGUE AND THE TOWNSHIP OF ALDBORO'.

Costs—County Court scale—Arbitration—Counsel fees.

In taxing the costs of an arbitration upon the County Court scale, no greater counsel fee can be allowed than is provided by the County Court tariff, viz. : \$25, although the attendance of counsel upon the arbitration has been for several days.

F. E. Hodgins, for the township of Aldboro'.
C. J. Holman, for Montague.

Boyd, C.]

[May 25.

APPLEMAN V. APPLEMAN.

Will—Counter-claim—Propounding earlier will—Fraud—Particulars.

The defendant contested the validity of a will propounded by the plaintiff, and also propounded two earlier wills of the testator's, under which, in the event of the last in date being invalidated, he claimed.

Held, a proper matter of counter-claim.

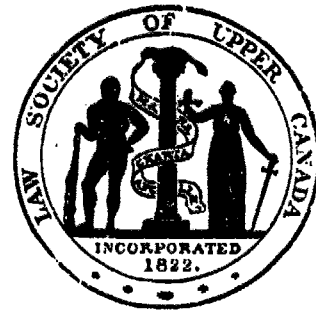
A general defence of fraud is admissible in an action to establish a will; but where such a defence was pleaded the defendant was required to give particulars forthwith after the examination of the plaintiff, and in default, to be debarred from giving evidence on that issue.

Browne v. Thomas, 1 Spinks Ec. & Ad. 31, followed.

F. W. Hill, for the plaintiff.

F. E. Hodgins, for the defendant.

Law Society of Upper Canada.



OSGOODE HALL.

CURRICULUM.

1. A graduate in the Faculty of Arts, in any university in Her Majesty's dominions empowered to grant such degrees, shall be entitled to admission on the books of the society as a Student-at-Law, upon conforming with clause four of this curriculum, and presenting (in person) to Convocation his diploma or proper certificate of his having received his degree, without further examination by the Society.

2. A student of any university in the Province of Ontario, who shall present (in person) a certificate of having passed, within four years of his application, an examination in the subjects prescribed in this curriculum for the Student-at-Law Examination, shall be entitled to admission on the books of the Society as a Student-at-Law, or passed as an Articled Clerk (as the case may be) on conforming with clause four of this curriculum, without any further examination by the Society.

3. Every other candidate for admission to the Society as a Student-at-Law, or to be passed as an Articled Clerk, must pass a satisfactory examination in the subjects and books prescribed for such examination, and conform with clause four of this curriculum.

4. Every candidate for admission as a Student-at-Law, or Articled Clerk, shall file with the secretary, four weeks before the term in which he intends to come up, a notice (on prescribed form), signed by a Benchler, and pay \$1 fee; and, on or before the day of presentation or examination, file with the secretary a petition and a presentation signed by a Barrister (forms prescribed) and pay prescribed fee.