

of themselves and all other inhabitants of the City of Toronto; and the Defendants were John G. Bowes and the City of Toronto.

To this Bill the Defendant Bowes filed his answer on the 23rd of August, 1853, which answer is printed *post*.

A replication having been filed to this answer, the first depositions of the Defendant John G. Bowes, and of Thomas Ridout were taken before the Court which depositions appear *post*.

The Plaintiffs on the leave of Court, further amended their Bill, under an order, by which the Defendants were declared to be at liberty to demur to or answer the amended Bill as an original Bill; and all evidence already taken was to be used as evidence under the amended Bill; and the Court reserved the costs of all parties of the amendment and motion to amend until the cause should be finally disposed of.

To this amended Bill the Defendant John G. Bowes, filed his answer on the 24th day of November, 1853, which answer is also printed *post*.

The remainder of the depositions, &c., were taken under the pleadings as they thus stood.

The leave of the City Council having been subsequently obtained for substituting the name of the City as Plaintiffs, the Bill was further amended by making this change and omitting the charges incidental thereto, under the following order:—

“Upon the application this day made to the presiding Judge in Chambers by Counsel for the Plaintiffs, and the said Defendants, the City of Toronto consenting thereto, and the Defendant John G. Bowes not appearing though duly served with notice of this application, as by affidavit appears; and on reading the affidavit of Joshua George Beard, now Mayor of the said City, and a copy of the Bill with certain proposed amendments, and the several proceedings had in this cause: It is ordered that the Plaintiffs be at liberty to amend their Bill in this cause by striking out the names of the present Plaintiffs, and substituting therefor the name of the Corporation of the City of Toronto as Plaintiffs, and by making such