

not the effect of stopping the running of the statute, the acts referred to not being shewn to have been done in assertion of any right on the part of the defendant.

Griffith v. Brown, 503.

See also "Appropriation of payments."
"Welsh Mortgage"

SUBSEQUENT CREDITOR.

See "Fraudulent Settlement," 2.

STATE OF ACCOUNTS.

See "Mortgage," &c., 3.

STATUTE OF FRAUDS.

See "Parol Evidence,"

"Specific Performance," 1.

TAX SALE.

Where a township treasurer had neglected to furnish the clerk of the municipality with a list of lands liable to sale for taxes, and no such list or copy thereof was delivered to the assessor as provided by section 108 of ch. 180, R. S. O., and by reason thereof a lot worth \$1,500 or \$1,600 had been sold for \$5.53, taxes due thereon, the Court on a bill filed impeaching the sale, set it aside, with costs, less the amount of taxes paid with interest thereon, and the expenses attending the purchase.

McKay v. Ferguson, 236.

TEMPERANCE ACT OF 1864

1. The Act 39 Viet. ch. 26, O., in relation to the Temperance Act of 1864, is not unconstitutional, and the Provincial Legislature has power to appoint commissioners for the purposes mentioned in the Act, and (under 41 Viet. ch. 14, O.,) to provide for the charges attending the execution of their duties even when previously incurred; and the provisions of the Act apply to a municipality in which the Temperance Act is in force.

License Commissioners of Prince Edward v. County of Prince Edward, 452.