

proceeds thereof to be applied on the amount of the purchase price unpaid after deducting all expenses connected with such taking possession and sale, but the taking and sale of said property shall not be a release of my liability for the balance of the purchase price still unpaid after such sale."

Under the provisions of the Bill of Exchange Act, s. 82, sub-sec. 3, the pledge of collateral security with authority to sell must have reference to property which the pledgor has an interest in and some title to. It cannot mean property to which the pledgor has no title whatever, and has no right to the possession of, except for such time as the vendor sees fit to allow.

A. J. Gregory, for plaintiff.

A. R. Slipp, for defendant.

See *Kirkwood v. Smith*, 1 Q. B. 582 (1896); *Dominion Bank v. Wiggins*, 21 Ont. A.R., 275; *Sawyer v. Pringle*, 18 Ont. A.R., 218; *Byles on Bills*, 15 ed., page 13.

TUCK, C.J. }
In Chambers. }

[April 12.]

EX PARTE LABELLE.

Liquor License Act, 1896—Jurisdiction of Parish Court Commissioner.

The Liquor License Act, 1866 (59 Vict., c. 5) does not give jurisdiction to a Parish Court Commissioner to try offences within it.

Montgomery, for prisoner.

McLatchey, contra.

COUNTY COURT.

FORBES, Co.J. }
In Chambers. }

[April 12.]

WILLIAMS v. WASHINGTON.

Practice—Application by administratrix for time to plead—Appearance.

Where an action was brought against an administratrix on a debt by the intestate,

Held, that she could apply for time to plead without having appeared to the action.

S. Skinner, for defendant.

W. H. Trueman, for plaintiff.