express the judgment which he pronounced, or which at the time he intended to pronounce.

Where the judgment as issued fails to express the judgment as pronounced it may be corrected: Laurie v. Lees (1881), 7 App. Cas. 19, 34; In re Swire (1885), 30 Ch.D. 239, 243, 245, 247; Hatton v. Harris, [1892] A.C. 547; Milson v. Carter, [1893] A.C. 638; Preston Banking Co. v. William Allsup & Sons, [1895] 1 Ch. 141, 143.

If the effect of the decision of the Appellate Division upon the appeal from the judgment now sought to be corrected is to declare that the interest chargeable against the defendant is to be computed by a different method and on a different principle from that which the learned Judge intended to apply when he pronounced judgment, it would be beyond his power—in fact it would be useless—now to attempt to amend the judgment. Had he the power to do so, he would now amend the judgment; but, as the judgment had been in review before the Appellate Court, he could not interfere.

Motion refused without costs.

CLUTE, J. MAY 27TH, 1915.

*BURROWS v. GRAND TRUNK R.W. CO.

Railway—Public Footway under Tracks in City—Dangerous Condition—Injury to Pedestrian—Liability of Railway Company—Dominion Railway Act, R.S.C. 1906 *ch.* 37, *sec.* 241—*Liability of City Corporation Added as Party after Action Begun—Action Barred by Municipal Act, R.S.O.* 1914 *ch.* 192, *sec.* 460 (2)—*Action Treated as Begun when Party Added—Damages—Expert Witnesses—Costs.*

Action against the railway company and the Corporation of the City of Guelph to recover damages for injuries sustained by the plaintiff by concrete falling upon him when he was passing under the railway tracks by a public covered foot subway, in the city.

The action was tried without a jury at Guelph.

*This case and all others so marked to be reported in the Ontario Law Reports.