

## Notes of United States Cases.

## NEW YORK COURT OF COMMON PLEAS.

## FULLER v. KEMP.

*Accord and satisfaction—Action for professional services—Cheque given for smaller amount—Letter accompanying saying "in full satisfaction."*

An accord and satisfaction is the substitution of a new agreement between the same parties for the old one.

Plaintiff, a physician, rendered a bill to defendant for professional services, which the latter objected to as excessive. After correspondence, and the rendering of a second itemized statement of the account aggregating the same amount, the defendant mailed his cheque to plaintiff for a smaller amount, enclosed in a letter, stating that the same was "in full satisfaction of your claim for professional services against me to date." Plaintiff retained and collected the cheque, immediately rendering defendant another bill in the original amount, but giving credit for the sum so received.

*Held*, that the element of assent was wanting to establish an accord and satisfaction.

## SPRING ASSIZES, 1892.

## HOME CIRCUIT.

## Falconbridge, J.

Orangeville.....	Tuesday	1st	March.
St. Catharines.....	Monday	7th	March.
Milton.....	Monday	14th	March.
Brampton.....	Thursday	17th	March.
Toronto—Criminal.....	Monday	21st	March.
Toronto—Civil.....	Monday	28th	March.

## NORTH-WESTERN CIRCUIT.

## Armour, C.J.

Woodstock.....	Wednesday	2nd	March.
Stratford.....	Monday	7th	March.
Goderich.....	Monday	14th	March.
Walkerton.....	Monday	21st	March.
Guelph.....	Monday	28th	March.
Berlin.....	Tuesday	5th	April.
Brantford.....	Monday	11th	April.
Owen Sound.....	Tuesday	19th	April.

## MIDLAND CIRCUIT.

## Rose, J.

Barrie.....	Tuesday	1st	March.
Hamilton.....	Wednesday	9th	March.

Belleville.....	Monday	21st	March.
Pictou.....	Monday	4th	April.
Whitby.....	Tuesday	12th	April.
Lindsay.....	Monday	18th	April.
Peterboro.....	Monday	25th	April.
Cobourg.....	Monday	2nd	May.

## EASTERN CIRCUIT.

## MacMahon, J.

Cornwall.....	Tuesday	8th	March.
Brockville.....	Monday	14th	March.
Napanee.....	Monday	21st	March.
Kingston.....	Thursday	24th	March.
Perth.....	Monday	4th	April.
Pembroke.....	Thursday	7th	April.
L'Orignal.....	Wednesday	13th	April.
Ottawa.....	Monday	18th	April.

## SOUTH-WESTERN CIRCUIT.

## Street, J.

Welland.....	Monday	21st	March.
St. Thomas.....	Monday	28th	March.
Simcoe.....	Monday	4th	April.
Cayuga.....	Thursday	7th	April.
Sandwich.....	Monday	11th	April.
Sarnia.....	Monday	18th	April.
Chatham.....	Monday	25th	April.
London.....	Wednesday	4th	May.

## CHANCERY SPRING CIRCUITS, 1892.

## Boyd, C.

Toronto.....	Wednesday	30th	April.
Woodstock.....	Friday	1st	April.
Barrie.....	Tuesday	5th	April.
Stratford.....	Monday	11th	April.
Whitby.....	Friday	20th	May.
Lindsay.....	Wednesday	25th	May.
Peterboro.....	Tuesday	31st	May.

## Ferguson, J.

London.....	Monday	4th	April.
Goderich.....	Monday	18th	April.
Walkerton.....	Monday	25th	April.
St. Thomas.....	Monday	2nd	May.
Sandwich.....	Monday	9th	May.
Sarnia.....	Thursday	12th	May.
Chatham.....	Monday	23rd	May.

## Robertson, J.

Ottawa.....	Thursday	17th	March.
Cobourg.....	Thursday	31st	March.
Cornwall.....	Monday	18th	April.
Brockville.....	Monday	25th	April.
Kingston.....	Monday	2nd	May.
Belleville.....	Monday	9th	May.

## Meredith, J.

Brantford.....	Tuesday	8th	March.
Owen Sound.....	Tuesday	15th	March.
Hamilton.....	Thursday	7th	April.
Guelph.....	Thursday	28th	April.
Simcoe.....	Monday	16th	May.
St. Catharines.....	Thursday	26th	May.