

plaintiff, to pay \$20 on account of the chattels, and to deliver up to the plaintiff his acceptance for \$500. The plaintiff resisted the motion, upon the ground, among others, that the case was not one appealable to the Supreme Court of Canada, and that consequently the Court of Appeal had no jurisdiction. MACLAREN, J.A., was of opinion that the amount of the draft should properly be included in the amount in controversy in this appeal, which brought it up to more than \$1,000, and that, consequently, it was appealable to the Supreme Court, and was a proper case for a direct appeal. Motion granted; costs to be in the appeal. F. Arnoldi, K.C., for the defendants. W. B. Raymond, for the plaintiff.

INNIS v. VILLAGE OF HAVELOCK—DIVISIONAL COURT—MARCH 8.

Highway—Nonrepair of Sidewalk—Injury to Pedestrian—Negligence—Notice.]—Appeal by the plaintiff from the judgment of BOYD, C., ante 205. The appeal was heard (by consent) by a Court composed of RIDDELL and SUTHERLAND, JJ. The Court dismissed the appeal with costs. F. D. Kerr, for the plaintiff. G. H. Watson, K.C., and L. M. Hayes, K.C., for the defendants.