

JUDGMENTS, HILARY TERM, 1866—RULES OF COURT.

leave to the landlord to amend his notice of title by adding claim of title by length of possession.

Warne v. Coulter.—Judgment for plaintiff on demurrer. Arrears of taxes due on non-resident lands: in case of subsequent occupancy, arrears can only, under 27 Vic. cap. 19, be collected out of goods on the premises, there being no personal liability upon the subsequent occupant to pay them, and nothing which can render liable his goods which are not on premises.

Law Society of U. C. v. The City of Toronto.—Rule nisi for nonsuit discharged. Action to recover back from the city money paid for taxes alleged by the City to be due. *Held*, that as the Court of Revision had not, although the roll was finally passed, adjudicated upon and determined the question brought before them in this matter, the right of appeal to the County Judge had not been barred. *Hagarty, J.*, dissented from the judgment of the Court, thinking that the roll being confirmed, the assessment was final.

Harvey v. Woodruff.—Rule absolute for new trial with costs to abide event.

Prendergast v. Grand Trunk Railway Co.—Rule nisi to set aside verdict for plaintiff, and for a new trial discharged.

Childs et al. v. Northern Railway Co.—Rule absolute to enter nonsuit.

COMMON PLEAS.

Present: RICHARDS, C. J.; JOHN WILSON, J.; ADAM WILSON, J.

Monday, March 5, 1866.

Canada Permanent Building Society v. Harris.—Rule discharged.

Hutton v. Trotter.—Rule discharged.

Thorne v. Barwick.—Rule discharged.

Reed v. Reed.—Judgment for plaintiff on demurrer.

Baldwin v. Peterman.—Judgment for plaintiff on demurrer.

Campbell v. Kempt.—Rule absolute for new trial on payment of costs within three weeks.

Doyle v. Lasher.—Appeal from the County Court of Lennox and Addington dismissed with costs.

Bradfield v. Hopkins.—Judgment for defendant on demurrer for insufficiency of the replication.

McFadden v. G. T. R. Co. { Appeals from Co.
Ball v. G. T. R. Co. { Ct. Frontenac dis-
missed with costs.

Cook v. Wilkie.—Appeal from County Court of Oxford dismissed without costs.

Reed et al. v. Mercer.—Rule discharged.

Bond v. Bond.—Rule discharged. Postea to plaintiff.

Auston v. Boulton.—Rule discharged.

McBride v. Lee.—Rule discharged, with costs.

Wood v. G. T. R. Co.—Rule absolute to strike appeal out of the paper without costs.

Saturday, March 10, 1866.

Present: RICHARDS, C. J.; ADAM WILSON, J.; JOHN WILSON, J.

Smith v. Miller.—Case struck out of list, it having been otherwise disposed of.

Hughes v. Towers.—Verdict on first count to be entered for defendant; and the damages on the second count to be reduced by \$290.

Fowler v. Perrin.—Judgment for plaintiff on demurrer.

Koster v. Holden.—Judgment for defendant on demurrer to first count; and for plaintiff on demurrer to the second count.

Trust and Loan Co. v. Drennan.—Judgment for plaintiff on demurrer.

Jones v. Cameron.—Judgment for plaintiff on demurrer.

The Queen v. Hamilton.—Rule nisi discharged. The Court expressed themselves as in much doubt as to the admission of affidavits in evidence in criminal cases when moving for new trials under the act, and suggested an appeal, for which leave was granted.

Campbell v. Knight.—New trial as announced last Monday, with the additional terms now imposed of payment of costs within three weeks after service of the rule; and in default of payment, rule discharged.

RULES OF COURT.

The following rules were read in Court last Term:

"Michaelmas Term, 29th Victoria.

It is ordered.—That the Table of Costs established by the Rule of this Court, of Trinity Term, 20th Victoria, be amended in that part of it relating to Attorneys, and headed 'Copy and service of Writs of Summons and other Process,' by adding as follows:—

Copy and Service of Writ of Subpoena ad Testificandum, exclusive of mileage..... 50 cents.

It is ordered.—That in all cases where leave is given to raise an Issue or Issues of Law, together with an Issue or Issues of Fact, to any Declaration or subsequent Pleading, the Issue or Issues of Law shall be determined before the Trial of the Issue or Issues of Fact, unless otherwise expressly ordered by the Court or Judge in the Rule or Order permitting such Issue or Issues to be raised.

Dated 2nd December, A. D. 1865.

(Signed) WM. H. DRAPER, C. J.
WM. B. RICHARDS, C. J. C. P.
JOHN H. HAGARTY, J.
JOS. C. MORRISON, J.
ADAM WILSON, J.
JOHN WILSON, J."