Ferguson, J.] McHugh v. Grand Trunk R. W. Co. [Nov. 6.

Executors and administrators — Lord Campbell's Act — Action by administrator—Death of sole beneficiary.

An action was brought under Lord Campbell's Act by the administrator of the estate of a person whose death was alleged to have been caused by the negligence of the defendants to recover damages occasioned by such death for the benefit of the mother of the deceased, who was the only person for whose benefit an action could be brought. She died pending the action, before it came to trial.

Held, that, assuming that the plaintiff was entitled to recover for the benefit of the mother, had she not died, the effect of her death was [illegible] to reduce the amount to be recovered, and there was some sum of money which at the time of her death she was beneficially entitled to receive when recovered, and this sum when recovered would constitute part of her estate and be payable to the administrator thereof. And therefore the action could be proceeded with, notwithstanding her death, but the appointment of an administrator was necessary.

W. E. Middleton, for plaintiff. *D. L. McCarthy*, for defendants.

Falconbridge, J., Street, J.] In re Cross. [Nov. 12.

Elections—Corrupt practices — Proceeding by summons — Limitations—Several charges.

Cross was convicted before two judges sitting under ss. 187, 188 of the Ontario Election Act, R.S.O. c. 9, for the trial of corrupt practices, committed at an election, for three several corrupt practices, and the penalty of $200 for each offence was imposed with imprisonment on default of payment.

Held, 1. The fact that the proceeding had not been commenced until after the expiration of one year from the time the corrupt practices were committed was no bar to them, inasmuch as that limitation applies only to actions for penalties under s. 195 of the Act.

2. It was no valid objection to the conviction that the judges constituting the court reserved judgment after hearing the evidence on one of the charges until they had heard evidence on the others.

Lynch Staunton, for defendant. *Dymond*, for Attorney-General.

MacMahon, J.] Wildman v. Tait. [Nov. 12.

Municipal corporation—Assessment—Sale for taxes—Imperfect description—R.S.O. c. 224, s. 13.

Some lots were assessed in the following way:

Occupant.	Owner.	Size of lot.
Water lots.	John Maughan.	436 x 660.