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TORONTO, MAY 11, 1910.

No. 33.

COURT OF APPEAL.

APRIL 19TH, 1910.

*HUBBERT v. HOME BANK OF CANADA.

Appeal—Court of Appeal—Leave to Appeal from Order of Divisional Court — Promissory Note — Bank — Holder in Due Course.

Motion by the defendants for leave to appeal to the Court of Appeal from the order of a Divisional Court, ante 542, affirming the judgment of BRITTON, J., ante 405, in favour of the plaintiff.

The motion was heard by MOSS, C.J.O., GARROW, MACLAREN, MEREDITH, and MAGEE, J.J.A.

J. Bicknell, K.C., for the defendants.

J. D. Falconbridge, for the plaintiff.

THE COURT refused the motion with costs.

APRIL 29TH, 1910.

HAGLE v. LAPLANTE.

New Trial—Discovery of Fresh Evidence—Appeal to Court of Appeal under Judicature Act, sec. 76a—Motion for New Trial—Innkeeper—Death of Guest in Fire.

An appeal by the defendant from the judgment of MULLOCK, C.J.ExD., 20 O. L. R. 339, and a motion for a new trial, upon the

* This case will be reported, with the judgments of the Courts below, in the Ontario Law Reports.