

1895

FORAN v. HANDLEY.

*Mar. 13.

Appeal—Dismissed for want of appearance—Application to reinstate.

MOTION to reinstate appeal which had been dismissed because no counsel had appeared for appellant when the case was called.

The only ground stated for asking the indulgence of the court was that counsel had been present not long before the case was called and had felt satisfied that it would not be reached that day, but that the cases before it had been unexpectedly disposed of.

The court refused to reinstate the appeal.

*Motion refused with costs**Ritchie* for the motion.*Orde contra.*

*PRESENT :—Sir Henry Strong C.J., and Taschereau, Gwynne, Sedgewick and King JJ.