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This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1852 Excerpt: ...doubt that the value of the goods as between the parties here, is not necessarily the measure of the damages. If the goods had been taken by a mere stranger it would have been a very different matter; but where we have the parties as they appear in this case, it seems to me that it would amount to great injustice to say that the value of the goods must necessarily be taken to be the measure of the damages; for, as was put by my brother Wightman, during the argument, the same might be said in the case of a demise of goods for twenty-four hours. I think, therefore, the verdict ought not to stand for the full value of the goods, and as it has been agreed between the parties that we should say to what amount it should be reduced, I think to 40s. Patteson, J. I am of the same opinion. The notice being bad, the plaintiff had the right of possession, and is entitled to some Cannon v. Johnson. damages proportioned to the interest that he had in the goods at the time of the trespass. Wightman, J., concurred. Rule absolute to reduce the damages to 11l. 12s. 6d. COUNTY COURT APPEAL. Cannon, Appellant, v. Johnson, Respondent. 1 February 11, 1852. County Court Appeal--Stating Grounds of Dissatisfaction in Notice of Appeal--Amending Particulars of Demand. On the hearing of a county court appeal, it cannot be taken as an objection to the jurisdiction of the court of appeal, that the notice of appeal does not contain any statement of the grounds of dissatisfaction with the decision of the county court judge as required by rule 151 of the County Court Rules. The plaintiff's particulars in a plaint in a county court alleged that the defendant had deepened the bed of a river, and thereby varied the level, whereby the plaintiff had been deprived of his accustomed head of water ...

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