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BOSTON BLOWER COMPANY V. CARMAN LUMBER Co.—Decided at Richmond, December 3, 1896.

1. **SUPPLIES**—*Kiln-dryer for saw-mill.* An apparatus for kiln-drying lumber is not a part of the "supplies necessary to the operation" of a saw-mill, and therefore no lien is given therefor by sec. 2485 of the Code.

2. **RETENTION OF TITLE TO PERSONAL PROPERTY**—*Remedy at law—Objection to bill for want of equity—When and how raised—Personal decree.* Where the title to personal property has been retained by the vendor, his remedy in respect thereto is at law and not in equity. If a bill in equity be filed by the vendor to enforce a lien on the property or to subject it to sale, objection thereto for want of jurisdiction may be taken for the first time in the appellate court, though the bill was not demurred to. The objection being jurisdictional, may be raised at any time, and the court may, on its own motion, dismiss the bill, though the objection be not raised by pleadings, nor suggested by the parties. Nor in such case can the court render any personal decree against the defendant. A personal decree can only be rendered in a case where the complainant is in court upon a case properly cognizable by a court of equity.

RICHARDSON V. PLANTERS BANK OF FARMVILLE.—Decided at Richmond, December 10, 1896—*Riely, J.*

1. **JUROS**—*Disqualifications—Debtor of a party to suit.* A juror is not competent to sit in a case if he has any interest in the case, or is related to either party, or has formed or expressed any opinion, or is sensible of any bias or prejudice. But the mere fact that he is indebted to one of the parties does not render him incompetent.

2. **EVIDENCE**—*Written contracts—Parol evidence—Case at bar.* In the absence of fraud or mistake, contemporaneous parol evidence is not admissible to contradict or vary the terms of a valid instrument. But if the language of the instrument is equivocal, parol evidence is admissible to show the circumstances under which it was executed. In the case at bar the written instrument sued on does not establish the contract alleged, but, in any view, the language used is equivocal and the instrument ambiguous, and the parol evidence does not vary or contradict, but is consistent with its language and makes clear what was otherwise ambiguous.

DERBYSHIRE V. JONES AND OTHERS.—Decided at Richmond, December 10, 1896.—*Keith, P.*

1. **CHANCERY PRACTICE**—*Cross bill—New matter—New parties.* A cross bill is intended to be in aid of the defence to the original suit, and cannot be more extensive than the original defence. Though additional facts may be added in support of the original defence, yet new and distinct matter, not set up as a defence in the original cause, cannot be thereby introduced, unless it be matter which has subsequently arisen. Nor can new parties be added by a cross bill, except, perhaps in cases where it is made to appear by evidence arising from the pleadings and proof between the complainants and defendants that the presence of another party is necessary in order that the defence to the complainant's demand may be complete, or a controversy between the defendants may be properly adjudicated. If the in-