

at Brantford. MIDDLETON, J., in a written judgment, said that the deceased had given \$1,500 to his daughter, paying it to her husband to enable him to purchase a farm in the west, where they intended to make their home. Having ascertained that the law of Saskatchewan did not entitle the wife to any interest in her husband's lands which could not be defeated by her conveyance, the deceased asked his son-in-law for a note for the amount advanced, this being intended as a means of securing the daughter in the event of trouble with her husband. The gift was complete before the note was given; and, if there ever was any liability upon the note, the father held as trustee for the daughter. There was no effective gift of the note to the daughter; but the deceased held the note for his daughter, and recognised her right. Action dismissed with costs. J. Harley, K.C., for the plaintiff. W. S. Brewster, K.C., for the defendant.

BERLIN LION BREWERY LIMITED v. D'ONOFRIO—CLUTE, J.—
MARCH 23.

Account—Reference—Report of Referee—Appeal—Questions of Fact.—Appeal by the defendant from the report of READE, Jun. Co.C.J., Waterloo, upon a reference to take an account and find the amount due to the plaintiffs for goods sold, after making proper deductions. The appeal was in respect of certain items which the defendant insisted should be deducted from the amount found by the Referee. The appeal was heard in the Weekly Court at Toronto. CLUTE, J., in a written judgment, said that, after a very full argument, it was quite clear that the defendant ought not to succeed. The questions were solely as to facts, and upon the evidence the learned Judge would have found as the Referee did. Even if he had differed, there was no such weight of evidence as would justify a reversal of the findings. Appeal dismissed with costs. George Wilkie, for the defendant. H. J. Sims, for the plaintiffs.

GOODCHILD v. WILCOX—LATCHFORD, J.—MARCH 24.

Will—Deed—Action to Set aside—Mental Incapacity of Testator and Grantor—Undue Influence—Evidence—Title by Possession to Portion of Lands of Testator Acquired by Son.—Action by Robert and James Goodchild, two of the sons of John R. Goodchild,