

The Ontario Weekly Notes

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No. 4.

COURT OF APPEAL.

SEPTEMBER 28TH, 1911.

NELLES v. HESSELTINE.

*Damages—Breach of Contract for Delivery of Shares and Bonds
—Ascertainment of Value at Fixed Date—Evidence—Re-
port—Variation on Appeal—Further Appeal.*

Appeal by the defendants the Windsor Essex and Lake Shore Rapid Railway Company from the order of MEREDITH, C.J.C.P., 2 O.W.N. 643, varying the report of the Local Master at Sandwich by reducing the amount of damages found by the Master; and from the judgment of BOYD, C., upon further directions (8th March, 1911). The appellants sought a further reduction of the damages.

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

M. Wilson, K.C., and J. M. Pike, K.C., for the appellants.

C. J. Holman, K.C., for the plaintiffs.

THE COURT dismissed the appeal with costs.

SEPTEMBER 29TH, 1911.

*RE HENDERSON AND TOWNSHIP OF WEST NISSOURI.

Schools—Continuation School—County By-law—High School District—Township By-law—Continuation Schools Act, 1909, sec. 9—High Schools Act, 1909, sec. 4—“Existed in Fact.”

Appeal by James Henderson from the order of a Divisional Court (FALCONBRIDGE, C.J.K.B., BRITTON and RIDDELL, J.J.),

*To be reported in the Ontario Law Reports.

6—III. O.W.N.