

the defendant agreeing to be bound by the examination. If this cannot be arranged, the defendant must attend for further examination at some time which will not interfere with his attendance in the House of Commons as a member. Costs to the plaintiff in any event. G. W. Mason, for the plaintiff. K. F. Mackenzie, for the defendant.

*FITCHET v. WALTON—DIVISIONAL COURT—FEB. 23.

Malicious Arrest—Civil Process—Misleading Affidavit—Absence of Reasonable and Probable Cause—Malice—Intention to Leave Province—Damages.]—Appeal by the defendant from the judgment of BOYD, C., ante 81, 22 O.L.R. 40. The Court (FALCONBRIDGE, C.J.K.B., LATCHFORD and MIDDLETON, JJ.) dismissed the appeal with costs. W. E. Raney, K.C., for the defendant. John W. McCullough and James McCullough, for the plaintiff.

*To be reported in the Ontario Law Reports.