

YOUNG v. TOWN OF GRAVENHURST—DIVISIONAL COURT—OCT. 24.

*Discovery—Examination of Servant of Defendant Municipal Corporation—Superintendent of Power and Light Works.*]—Appeal by the defendants from the order of LATCHFORD, J., ante 118. The Court (MEREDITH, C.J.C.P., SUTHERLAND and MIDDLETON, JJ.), dismissed the appeal, with costs to the plaintiff in the cause. N. F. Davidson, K.C., for the defendants. F. R. Mackelcan, for the plaintiff.

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DAVIS v. CLEMSON—DIVISIONAL COURT—OCT. 24.

*Contract—Work and Labour—Building Boat—Acceptance.*]—Appeal by the plaintiffs from the judgment of BOYD, C., 1 O. W. N. 938. The Court (MEREDITH, C.J.C.P., SUTHERLAND and MIDDLETON, JJ.), dismissed the appeal with costs. A. B. Cunningham, for the plaintiffs. A. J. Thomson, for the defendant.

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GATTIE v. EATON & SON—BRITTON, J.—OCT. 26.

*Trespass—Backing Water on Property of Plaintiff—Construction of Railway Siding — Vibration from Cars — Damages not Proved.*]—Action for damages for injury to the plaintiff's house and land, in the town of Orillia, by water backed up by the defendants in constructing a railway siding to their planing mill, and from vibration caused by the running of cars on the siding. The learned Judge finds that no negligence or damage was proved, and that the defendants are not trespassers. Action dismissed with costs. J. T. Mulcahy, for the plaintiff. W. A. Boys, for the defendants.

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STUART v. HAMILTON JOCKEY CLUB—MASTER IN CHAMBERS.—OCT. 27.

*Pleading — Statement of Defence — Estoppel — Amendment — Particulars.*]—Motion by the plaintiff to strike out paragraphs 2 and 4 of the statement of defence. The action was to recover three shares of the defendants' capital stock, said to have been wrongly transferred after the death of the owner—