

conscious when he laid the information that he had been in the wrong.
A new trial granted on the ground of misdirection.

Hinton v. Heather, 14 M. & W. 131, followed.

Sutton v. Johnstone, 1 T. R. 493, distinguished. *Routhier v. McLaurin*, 112.

2. *Right of defendant to prove plaintiff guilty of the criminal charge laid.*—In an action for malicious prosecution the claim which was put in issue was that the defendant did on a certain day charge plaintiff with having on two or three occasions committed wilful perjury.

The learned Judge at the trial ruled that the defendant could not go into evidence to contradict plaintiff on his statement as to the perjury, or to establish the truth of the facts desired to be set up:—

Held, that the ruling without qualification was too broad; for though a defendant in an action for malicious prosecution is not bound to prove the plaintiff's guilt as charged in the criminal proceedings, still he is at liberty to do so if it be necessary to establish reasonable and probable cause.

Quere, as to the onus being on the plaintiff to establish his innocence. *Watt v. Clark*, 602.

MANDAMUS.

To raise money.—See MUNICIPAL CORPORATIONS, 3.

Remedy by action.—See MUNICIPAL CORPORATIONS, 1.

See VOTERS LISTS.

MAINTENANCE.

See WILL, 4, 11.

MAP.

See PUBLIC SCHOOLS.

MARRIAGE.

See HUSBAND AND WIFE, 1.

MASTER AND SERVANT.

1. *Damages — Workmen's Compensation for Injuries Act — Lord Campbell's Act — Reasonable expectation of pecuniary or material benefit.*—The plaintiff's son, who had just come of age, was killed by an accident in the defendants' machine shop, where he had been temporarily employed. For about two years previously he had, while attending school, worked on his father's farm, as farmers' sons usually do, without wages, and it was intended that he should study medicine, at an expense to his father of about \$1000, the course lasting three or four years, and in the vacations, while soengaged in acquiring his intended profession, it was expected that he would work at home as usual.

In an action by his father as administrator to recover damages for the death of his son:

Held, that he could have no reasonable expectation of pecuniary or material benefit from the son's life, and a nonsuit was ordered to be entered.

Per PROUDFOOT, J., a notice of action under the Workmen's Compensation for Injuries Act does not require to be signed or to be on behalf