

ants or some of them conspired together to deprive her of her status as a member and to compel her to leave the society; that, in pursuance of and in carrying out the conspiracy, she was assaulted with the view of taking her by force to a lunatic asylum in Montreal, and was by the conduct of the defendants compelled to leave the house of the society in which she lived, and as a member of the society was entitled to live; and that the result had been that she had been deprived of her rights as a member of the society, including her right to be maintained and supported during her life. The questions put to the jury and the answers were as follows:—

1. For what purpose was the plaintiff being taken from Kingston to Montreal? A. To confine her in an insane asylum.

2. Which, if any, of the defendants authorised the removal? A. M. J. Spratt and the Roman Catholic Episcopal Corporation of the Diocese of Kingston, Mary Francis Regis, and the Sisters of Charity of the House of Providence.

3. Was there any justification or excuse for such removal? A. None.

4. If so, what was the justification or excuse? A. None.

5. Was the defendant Phelan in any way responsible for the attempted removal of the plaintiff. A. He was.

6. If so, in what way did he make himself responsible? A. As an accomplice, by using his alleged authority and arranging with the Chief of Police to have Constable Naylon on hand when the time came for the removal of the plaintiff to the asylum.

7. Did the defendant Naylon, at the time he entered the plaintiff's room, have reasonable ground for believing that the plaintiff was insane? A. Yes.

8. If so, did he later know, or should he have known, that she was not insane, and, if so, when? A. After she was taken down to the room on the promise of being allowed to see Father Mea.

9. How do you assess the damages? A. On the defendants as named in clause 2 for \$20,000; on the defendant Dr. Phelan \$4,000; Policeman Naylon nil.

The trial Judge thereupon dismissed the action as against the defendants Naylon, Mary Vincent, Mary Magdalene, and Mary Alice; and directed judgment to be entered for the plaintiff against the other defendants for the amounts assessed against them respectively, with costs.

The defendants against whom judgment was directed to be entered were the appellants.

The Roman Catholic Episcopal Corporation of the Diocese of Kingston in Canada was created by 8 Vict. ch. 82. The Act created a corporation for the purpose of exercising the powers