

allowed to deduct \$100 out of the share of each brother to aid her further in their support and maintenance, and the remainder of their shares should be paid into Court to abide further order. E. F. Burritt, for the applicant.

RE GRAND TRUNK R.W. CO. AND BROOKER—SUTHERLAND, J.,
IN CHAMBERS—DEC. 20.

Money in Court—Claimants of—Priorities—Reference.—Motion by the Toronto General Trusts Corporation for payment out to them of the amount paid into Court by the railway company under an order of the Master in Chambers of the 2nd June, 1917. SUTHERLAND, J., in a brief memorandum, said that a number of other companies and individuals, represented upon the motion, were claiming the fund in whole or in part under alleged assignments, liens, stop-orders, etc. On the material filed, it was impossible to determine the priorities. They could best be ascertained by a reference, and there should be a reference to the Master in Ordinary. The applicants should have the conduct of the reference, and should notify all those represented on the motion, and they might attend at their risk as to costs. Further directions and costs reserved. W. Proudfoot, K.C., for the applicants. G. F. Rooney, for certain claimants. G. Cooper, for another claimant. A. C. Heighington, for J. G. Arnold. J. E. Lawson, for J. S. Fullerton.

SEAGRAM v. KEMISH—SUTHERLAND, J.—DEC. 20.

Fraud and Misrepresentation—Sale of Company-shares—Return of Money Paid with Interest—Principal and Agent—Evidence.—Action by an unmarried woman to recover money paid by her to the defendants or to one or other of them for certain shares of stock in the Pneuma Tubes Limited, a company organised to exploit an invention of the defendant Burgess. There were three defendants: Albert Kemish, who (as agent) sold the shares to the plaintiff and made the representations of which the plaintiff complained; Burgess, whose shares were sold to the plaintiff; and Gray, the secretary of the company, of whom Kemish was also alleged by the plaintiff to have been the agent. The action was tried without a jury at Toronto. SUTHERLAND, J., in a written judgment, after stating the facts and referring to the