

The plaintiff, however, suffered some damage by reason of the defendant's unreasonable and wrongful refusal to consent to the assignment; and his damages should be assessed at \$40.

Judgment for the plaintiff for \$40, with a declaration that the plaintiff, at the time he delivered the assignment of the lease to Plesky, was entitled to grant a valid assignment without the written consent of the defendant. The plaintiff's costs, on the County Court scale, to be paid by the defendant, without any set-off of costs to the defendant.

LENNOX, J., IN CHAMBERS.

JUNE 17TH, 1915.

REX v. CURRY.

Criminal Law—Depriving Children of Parental Control—Enticement of Father — Contributing to Making Children Juvenile Delinquents—Offence not Known to Law—Juvenile Delinquents Act, 1908, 7 & 8 Edw. VII. ch. 40, sec. 29 (D.)—Scope of—Evidence—Fair Trial—Conviction — Imprisonment—Habeas Corpus—Discharge.

Mabel Curry, the prisoner, was brought before the Juvenile Court in the city of Toronto—Deputy Commissioner Graham presiding—to answer the charge “that on the 25th day of May, 1915, and previously, she did contribute to Dorothy and Gordon Wilson, children under sixteen years of age, being or becoming juvenile delinquents, in that she did knowingly and wilfully keep company with Roy Wilson and did thereby deprive the said Roy Wilson from keeping Dorothy and Gordon, his children, under proper parental control, and did contribute to the said Dorothy and Gordon Wilson being or becoming juvenile delinquents.”

The prisoner pleaded “not guilty,” was found guilty, and committed to gaol for three months.

The prisoner obtained a writ of habeas corpus, upon the return of which she was brought before LENNOX, J., in Chambers, and a motion was made for her discharge.

W. K. Murphy, for the prisoner.

Edward Bayly, K.C., for the Crown.

LENNOX, J., said that the prisoner had a statutory right to be allowed to make her full answer and defence to the charge