

Judgment for the plaintiffs for \$1,288.85, with interest from the 22nd November, 1916, and costs—without prejudice to any counterclaim of the defendants. H. H. Dewart, K.C., and G. R. Roach, for the plaintiffs. Shirley Denison, K.C., or the defendants.

---

RE TRAYNOR AND CATHOLIC MUTUAL BENEFIT ASSOCIATION  
OF CANADA—LATCHFORD, J., IN CHAMBERS—MARCH 26.

*Insurance (Life)—Presumption of Death of Insured—Order Declaring—Payment of Insurance Money to Beneficiary—Costs.*]—Motion by Hannah Traynor for an order declaring that William Traynor is presumed to be dead and permitting the insurers, a benefit society, to pay the amount of a policy upon the life of William Traynor to the applicant. LATCHFORD, J., said that, upon the material before him (the original material having been supplemented), it was proper to make an order as asked. The society should be allowed to deduct from the amount the costs of their solicitor, fixed at \$60. M. J. O'Reilly, K.C., for the applicant. C. J. Foy, for the society.

---

RE HAY AND ENGLEDEE—SUTHERLAND, J., IN CHAMBERS—  
MARCH 30.

*Mines and Mining—Order Vesting Mining Locations in Applicant—Mining Act of Ontario, R.S.O. 1914 ch. 32—Application to Set aside Order after Expiry of three Years—Order Made on Notice—Delay not Satisfactorily Accounted for—Application Refused—Leave to Appeal.*]—An application by John S. Whiting and E. F. Kendall to set aside an order made by SUTHERLAND, J., on the 27th April, 1915, whereby certain mining locations were vested in Alexander M. Hay for all the estate, right, title, and interest of Engledee and others. That order was made on the application of Hay under the Mining Act of Ontario, R.S.O. 1914 ch. 32. SUTHERLAND, J., in a written judgment, said that it was argued that the order made in 1915 was an ex parte order; but that was not the fact. A summons had been granted and served upon all the parties concerned, and proof of such service was furnished when the order was made. After the order came to the notice of the present applicants, there was considerable delay, not satisfactorily explained, before this motion was launched. In these