as to his own status as a shareholder, he could not be expected to give any useful information on the issues in this case. As notice of trial had been given for the 4th March, and the defendants were anxious to have the action disposed of then, no good purpose would be served by ordering the plaintiff to be further examined. He must attend and give evidence at the trial, and could then be fully examined. Motion dismissed; costs in the cause. R. H. Parmenter, for the defendants. M. A. Secord, K.C., for the plaintiff.

TOPPER v. BIRNEY—FALCONBRIDGE, C.J.K.B., IN CHAMBERS—FEB. 24.

Trial—Postponement—Terms—Leave to Sell Land pendente Lite.]—Appeal by the plaintiff from an order of the Master in Chambers postponing the trial until after the 17th March. The learned Chief Justice said that the defendant did not ask specific performance, but only damages; and the plaintiff ought not to lose a sale, if he could make one in the meantime. The order should be affirmed, with the added limitation that, if the plaintiff could sell, the sale should be allowed to proceed, but the net purchase-price should go into Court, subject to the order of the trial Judge. Any mortgage might be made to the Accountant. Costs in the cause. W. Proudfoot, K.C., for the plaintiff. H. H. Shaver, for the defendant.

CANTIN v. CLARKE—MASTER IN CHAMBERS—FEB. 25.

Pleading—Statement of Claim—Motion to Strike out Part—Particulars—Costs.]—Motion by the plaintiff for particulars of paragraph 15 of the statement of defence. It was agreed on the argument that these would be given. The plaintiff also moved to strike out paragraphs 16, 17, and 18 of the statement of defence as embarrassing and irrelevant. The Master said that paragraph 16, together with paragraphs 10, 12, 13, and 14, was set up by way of counterclaim, which would render it difficult or perhaps impossible to strike it out. As pointed out in Bristol v. Kennedy, ante 537, "under our present system of pleading, it is difficult to maintain an order striking out a part of a pleading:" per Middleton, J. It could not be said that these paragraphs might not, as against paragraphs 5, 6, and 7 of the