

The
Ontario Weekly Notes

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APPELLATE DIVISION.

FIRST DIVISIONAL COURT.

DECEMBER 6TH, 1918.

*BASIL v. SPRATT.

Conspiracy—Assault—Expulsion from Religious Society—Actionable Wrongs—Liability of Several Defendants—Roman Catholic Episcopal Corporation—Corporation Sole—Incorporating Act, 7 & 8 Vict. (Can.) ch. 82, sec. 6—Liability of Benevolent Society Incorporated under Ontario Act—Personal Liability of Archbishop—Participation in Wrongful Acts—Liability of Physician—Findings of Jury—Admission of Evidence of Acts Committed after Assault—Examination for Discovery—Rule 330—Damages—Special Jury—Separate Assessments against Defendants—Appeal—Costs.

Appeal by certain of the defendants from the judgment of BRITTON, J., 13 O.W.N. 249, upon the findings of the jury at the trial of this action.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, HODGINS, and FERGUSON, JJ. A.

D. L. McCarthy, K.C., and T. J. Rigney, for the appellants.

W. N. Tilley, K.C., and A. B. Cunningham, for the plaintiff, respondent.

MEREDITH, C.J.O., read a judgment in which he said that the action was brought to recover damages from the defendants—M. J. Spratt, Archbishop of Kingston, the Roman Catholic Episcopal Corporation of the Diocese of Kingston, Mary Francis Regis, the Sisters of Charity of the House of Providence, Daniel Phelan, John Naylor, Mary Vincent, Mary Magdalene, and Mary Alice.

The plaintiff alleged that she was a member of the society of the Sisters of Charity of the House of Providence; that the defend-

* This case and all others so marked to be reported in the Ontario Law Reports.