

the County of Hants. The applicant in her affidavit swore that she had been arrested on August 2nd, 1906, under a warrant, based on an information, laid on August 1st, 1906, before the defendant, by his sister-in-law, for the theft of her watch, that she had been put on trial, after a preliminary examination, at which she gave evidence, held on the day of arrest, that a bill had been ignored by the grand jury, at Windsor, Nova Scotia, in September last, that she was innocent of the offence, that she believed that the defendant had been actuated in his judicial conduct by corrupt motives, and that he had been actively engaged for the last thirty-three years discharging magisterial functions. The defendant filed an affidavit denying that he knew he was acting illegally at the instance of his sister-in-law, but stating that he would have given the applicant time to prepare her defence, if she had asked for it, and that he did not act from any corrupt motive.

TOWNSHEND, J.:—We are all of opinion that this application must be dismissed, because it has not been shewn that the magistrate had acted corruptly, but we think it was very improper for him to act in the matter at all. He should have referred the prosecutrix to another magistrate. The application is dismissed.

J. J. Power, for the motion. Drysdale, K.C., Attorney-General, for defendant.

Province of Manitoba.

COURT OF APPEAL

Full Court.]

MACDONALD v. DRAKE.

[Oct. 22, 1906.]

Company—Liability of directors for wages.

The plaintiff, having recovered a judgment against a company incorporated under the Manitoba Joint Stock Companies Act, R.S.M. 1902, c. 30, for wages, and an execution on such judgment having been returned nulla bona, brought this action under s. 33 of the Act, against two persons who had been elected and had acted as directors of the company during the whole