

THE
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SPOONER v. MUTUAL RESERVE FUND LIFE
ASSOCIATION.

CORRECTION.

In the report of this case, ante pp. 566-7, it is stated as part of the judgment of ROBERTSON, J., that "the plaintiff is entitled to recover, but her dealings were not altogether fair in their character, and consequently she will have to pay costs."

This is incorrect.

The following extracts from the written opinion shew what the learned Judge really decided as to costs:—

"On the whole case, the plaintiff is entitled to recover, although I think her dealings with the Home Life were of a character not strictly fair, but that should only affect the question of costs, and I do not feel that I would be justified on that account to deprive her of them. . . . The defendants will pay all the costs of the action and of the reference, if any."

SEPTEMBER 15TH, 1902.

C. A.

MASON v. LINDSAY.

Appeal—Court of Appeal—Leave to Appeal—Important Question of Law—Construction of Statute—Small Amount in Controversy.

Motion by defendant for leave to appeal from order of a Divisional Court (ante 561), dismissing an appeal from the judgment of LOUNT, J., in favour of the plaintiffs in an action to recover possession of a piano. The principal question in the action was whether the plaintiffs were prevented from setting up their title to the piano as against defendant by reason of the Conditional Sales Act, R. S. O. ch. 149.

Joseph Montgomery, for defendant.

Strachan Johnston, for plaintiffs.