

The appeal to the Supreme Court of Ontario (Second Appellate Division) was heard by HON. SIR WM. MULOCK, C.J.Ex., HON. MR. JUSTICE RIDDELL, HON. MR. JUSTICE SUTHERLAND, and HON. MR. JUSTICE LEITCH.

F. D. Davis, for the plaintiff.

No one appeared for the defendant.

THEIR LORDSHIPS (v.v.) dismissed the appeal without costs.

SUPREME COURT OF ONTARIO.

FIRST APPELLATE DIVISION.

NOVEMBER 21ST, 1913.

JEWELL v. DORAN.

4 O. W. N. 1518; 5 O. W. N. 303.

Conversion of Chattels—Return or Payment of Value—Reference—Costs—Appeal.

Action to recover from defendants a possession of certain goods and chattels of which he had been wrongfully deprived, to recover \$5,000 their value, or in the alternative, damages for conversion.

BRITTON, J., held, that plaintiff was entitled to return of certain goods and chattels or their value and directed a reference to the Local Master to enquire, ascertain, and report with respect to the same.

SUP. CT. ONT. (1st App. Div.) varied above judgment holding that defendants were guilty of conversion and liable to pay plaintiff the value of the goods so converted. Reference to Master to ascertain amount due.

SUP. CT. CAN. refused leave to appeal 25 O. W. R. 804.

Appeal by the plaintiff from the following judgment of HON. MR. JUSTICE BRITTON.

P. T. Rowland, for the plaintiff.

V. McNamara, for the defendants.

HIS LORDSHIP in a written opinion, summarized the facts, made certain findings thereon in favour of the plaintiff, and directed that judgment should be entered for the plaintiff, for the return to him by the defendants of the furniture, furnishings, and chattels belonging to the plaintiff, in the possession of the defendants, or for payment of their value; and for a reference to the Local Master at Sault Ste. Marie to inquire, ascertain, and report