

reflecting on the manner in which the defendant, a contractor for the stone and mason work of a public library, was performing his contract, are privileged; and such privilege is not taken away by reason of there being present, to plaintiff's knowledge, at the meeting newspaper reporters, who, without request from the plaintiff, published in their newspapers a report of what had taken place at the meeting, including the plaintiff's statements, and therefore did not constitute any justification for a letter written by defendant to such newspapers vindicating his character and in which a defamatory attack was made on the plaintiff.

*Mowat*, K.C., for defendant. No one contra.

Meredith, C.J.C.P.] *PIRUNG v. DAWSON.* [Dec. 17, 1904.

*Settlement of action—O. J. Act—Jurisdiction.*

Since the passing of the O. J. Act the compromise of an action will be enforced by an order of the Court, and where the motion in such case is for judgment and analogous thereto for judgment on the pleading, the proper practice is by motion to a judge in court.

*Clute*, for appellant. *Heyd*, K.C., for respondent.

Meredith, C.J.C.P.]

[Jan. 7.

RE *ATLAS LOAN CO.—ELGIN LOAN CLAIM.*

*Company—Winding up—Creditor—Validity of claim—Right to rank on assets.*

W. was president of the A. loan company, and also a member of a firm of stock brokers interested in a block of the common stock of a coal company, which it was desired to place in the hands of permanent investors. Another loan company the E. company, had a large savings bank account with the A. company, and, as the E. company contended, to enable the former company, which was empowered to invest in stocks, which the E. company was not, to purchase a number of these shares. It was arranged through W. that the E. company should lend the A. company \$55,000 the amount required for the purchase, on the security of a debenture for the amount to be issued by the A. company; the E. company also to hold the stock purchased as collateral security, and to be paid five per cent. interest, or, at their option, to have the dividends on the stock, and to receive one-half of any profit that might be realized on the stock when sold.