

The amount of the costs should, therefore, be reduced to \$218.69 and disbursements. The amount should be determined by the Taxing Officer if the parties cannot agree, and inserted in the certificate of this Court; costs of taxation, if taxation is necessary, to be in the discretion of the Taxing Officer. The Taxing Officer will not allow any disbursements in connection with this appeal.

The applicant on this motion should have his costs, fixed at \$10.

FIRST DIVISIONAL COURT.

DECEMBER 7TH, 1915.

STREET v. MURRAY.

Fraud and Misrepresentation—Money Paid for Assignment of Interest in Patented Invention—False Representations of Assignor's Agent—Rescission—Return of Money Paid—Damages for Detention.

Appeal by the defendant from the judgment of LENNOX, J., 8 O.W.N. 436.

The appeal was heard by GARROW, MACLAREN, MAGEE, and HODGINS, J.J.A.

R. S. Robertson, for the appellant.

W. M. Douglas, K.C., for the plaintiff, respondent.

THE COURT dismissed the appeal with costs.

SECOND DIVISIONAL COURT.

DECEMBER 8TH, 1915.

*RE GARNHAM'S CONVICTION.

*RE RICHARDSON'S CONVICTION.

Municipal Corporations — Hawkers and Pedlars' By-law of County — Magistrate's Conviction — Sale of Coal Oil by Travelling Salesman—Order for Future Delivery—"Hawker"—Municipal Act, R.S.O. 1914, ch. 192, sec. 416 — Amendment by 5 Geo. V. ch. 34, secs. 32, 33.

Appeals by S. A. Garnham and A. E. Richardson from the

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