

E. & C. Randolph. Strachan Johnston, for Dixon. C. S. MacInnes, K.C., for the plaintiff.

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McCALL v. KANE & Co.—RIDDELL, J.—NOV. 6.

*Particulars.*]—The order of the Master in Chambers, ante 95, was affirmed. W. Laidlaw, K.C., for the defendants. W. E. Middleton, K.C., for the plaintiff.

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COOPER v. JAMES—MOSS, C.J.O., IN CHAMBERS—NOV. 8.

*Leave to Appeal.*]—A motion by the defendant for leave to appeal to the Court of Appeal from the order of a Divisional Court affirming the judgment of the trial Judge in favour of the plaintiff, was refused, the Chief Justice saying that the issue was purely one of fact, and the evidence was amply sufficient, if believed—and the trial Judge did believe it—to justify his finding, and no substantial question of law or other good ground for further prolonging the litigation appeared. J. D. Montgomery, for the defendant. Featherston Aylesworth, for the plaintiff.

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DUKE v. ULREY—MASTER IN CHAMBERS—NOV. 10.

*Company — Winding-up — Stay of Action — Dismissal.*]—The action was brought by the plaintiff on behalf of himself and all other shareholders of a limited company against the company and certain individuals to recover from the individuals, for the benefit of the company, secret profits alleged to have been made by the individuals in their dealings with the company. After the action had proceeded a certain length, an order was made for the winding-up of the company, which stayed the action. The defendants other than the company moved to dismiss it for want of prosecution. The motion was dismissed without costs and without prejudice to any application by either party to the Referee or the liquidator in the winding-up. F. R. MacKelcan, for the defendants Ulrey and Marskey. C. Kappeler, for the defendant Barber. Casey Wood, for the plaintiff.