

period a valid parol agreement between plaintiff and defendants. According to the decision in *Brace v. Calder*, [1895] 2 Q. B. 253, the fact of the dissolution, which was of course the act of the defendants, operated as a wrongful dismissal of the plaintiff (or was a breach of the agreement) . . . The plaintiff seems to have been realizing about \$50 a month, and has not been able to obtain suitable employment, but has been able to make only trifling sums since his dismissal. I think he should not be put off with only nominal damages, nor yet recover heavy damages, and upon the best consideration I can bestow upon the matter, I arrive at the sum of \$300 as damages.

Judgment accordingly with costs on High Court scale.

Macbeth & Macpherson, London, solicitors for plaintiff.

Macdonald & Drew, Guelph, solicitors for defendants.

FEBRUARY 13TH, 1902.

DIVISIONAL COURT.

REX v. COLE.

Criminal Law—Incitement to Give False Evidence—Or Evidence Regardless of its Truth or Falsehood—Misdemeanour—Single Justice—Grand Jury—Common Law—Criminal Code—Reputation—Bail—Estreat—C. Code, secs. 530, 641.

Motion by A. F. Bowman to make absolute a rule *nisi* calling upon the Attorney-General for Ontario to show cause why the estreat roll upon the recognizance of bail entered into by Oliver Cole and A. F. Bowman, and the writ of *fi. fa.* and *capias* thereupon issued, and all proceedings to estreat, should not be set aside and proceedings forever stayed. The defendant was committed for trial by A. Freeborn, a justice of the peace, upon an information charging that on January 7th, 1901, the defendant did, at the village of Southampton, in the county of Bruce, unlawfully attempt to incite, procure, counsel and induce one Sylvester Cole, unlawfully, willingly, and knowingly and corruptly to commit the crime of perjury, by swearing on the trial of a certain election petition then soon thereafter coming on to be heard of Campbell v. McNeill, that George Smith, C. E. Vanstone, James John, or the member elected for North Bruce, or some one of them, had corruptly paid him, Sylvester Cole, \$5 to vote for the said McNeill, whereas in fact and in truth no such offer had been made. The defendant was admitted to bail by the said justice of peace. The grand jury found thereafter a true bill, and defendant not appearing, the presiding Judge