

ants' costs of an action for libel. The writing complained of was published in defendants' newspaper.

G. P. Deacon, for plaintiff.

J. B. Holden, for defendants.

MEREDITH, C.J., dismissed the appeal, holding that a case for security for costs had been established.

BRITTON, J.

FEBRUARY 9TH, 1903.

WEEKLY COURT.

WRIGHT v. ROWAN.

*Injunction—Interim Injunction—Dealing with Shares—Dissolving Injunction on Facts Appearing on Motion to Continue.*

Motion by plaintiffs, the executors of J. D. Wright, to continue injunction obtained by plaintiffs ex parte, restraining defendant from dealing with certain shares forming part of the estate.

D. Henderson, for plaintiffs.

C. H. Ritchie, K.C., for defendant.

BRITTON, J., held that, upon the facts of the case as presented on the present motion, an injunction would not be granted, and so the motion failed. It was not a case where any injury would be likely to result by withholding the injunction. The defendant seemed to have been frank and willing to make full disclosure, and there was nothing in his examination that would suggest a possibility of loss to plaintiffs, if on any ground they were entitled to recover. It was no ground for continuing the injunction that it would do no harm to defendant. It might or might not. There was no such dealing with shares as entitled plaintiff to tie these shares up pending litigation. Motion dismissed and injunction dissolved. Question of costs reserved for trial Judge, or further order.

FEBRUARY 9TH, 1903.

DIVISIONAL COURT.

HAIGHT v. DANGERFIELD.

*Will—Construction—Estate for Joint Lives of Devisees—Remainder to Heirs of Both—Period for Ascertainment of Heirs—Mortgage by Joint Tenants for Life.*

Appeal by plaintiffs from judgment of LOUNT, J. (1 O. W. R. 551), in an action tried at Hamilton without a jury.