

for examination, and answer all questions as to facts within his own knowledge, etc., unless he had some other valid objection. In *Lewis v. Pennington*, supra, the solicitors claiming privilege were joint defendants with their client, a judgment debtor who had assigned to them all his assets as security for advances made to them. It was held they could not claim privilege as to facts acquired by them as such transferees, though they might have acquired them previously as solicitors. The costs of the motions to be in the cause. J. P. MacGregor, for the plaintiff. C. A. Moss, for the defendant.

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PIGDEN v. PIGDEN—KELLY, J.—Nov. 22.

*Deed of Land—Action to Set Aside—Duress and Undue Influence—Want of Parties—Refusal of Costs.*]—Action by a father 80 years of age against his daughter to have cancelled a deed of some property made by the plaintiff's wife one month before her death, to the defendant, and for a declaration that he is the owner of the lands, etc. The plaintiff alleged that the property though standing in his wife's name was really his, and that the defendant obtained the conveyance from her mother through duress, and undue influence. At the close of the plaintiff's case a motion for nonsuit was made, both for want of parties and on the evidence. KELLY, J., granted the nonsuit, but without costs, for the reason that the evidence reveals lack of consideration on the part of the defendant towards her father, and a harshness of treatment which is hard to understand. E. J. Butler, for the plaintiff. E. G. Porter, K.C., for the defendant.

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HUDSON v. SMITH'S FALLS ELECTRIC POWER CO.—MASTER IN CHAMBERS—Nov. 22.

*Parties—Third Party Notice—Motion to Set Aside—Ex Parte Order—Lapse of Time—Time for Service—Extension.*]—Motion by third party for an order setting aside order giving leave to the defendants to serve third party notice. This action was begun on 18th June, 1910. Statement of claim was delivered on 6th November, 1911, and statement of defence on 21st November, 1911. This delay is accounted for by the very serious condition of the female plaintiff. On 11th October, 1912, the usual order was made ex parte allowing the defendant company to issue