

J. A. Macintosh, for the accused, argued that in each case the boy with whom the alleged offence was committed was an accomplice and that his evidence required corroboration. The statements of the accused which are relied on by the prosecution were obtained by inducements held out to him, and should be disregarded, and the accused should have been warned. He referred to Russell on Crimes, 7th ed., p. 266; *Rex v. Everest* (1909), 73 J.P. 269; *Rex v. Winkel* (1911), 76 J.P. 191, [MEREDITH, C.J.O., referred to *Lewis v. Harris* (1913), 30 Times L.R. 109].

J. R. Cartwright, K.C., for the Crown, was not called upon to argue, but admitted, in reply to a question from the Court, that the person with whom the alleged offence was committed was an accomplice. He referred in this connection to *Rex v. Frank* (1910), 21 O.L.R. 196,

The judgment of the Court was delivered by MEREDITH, C.J.O., at the conclusion of the argument, holding that corroboration of the evidence of the accomplice in this case was not essential to the validity of the conviction, and that, even if corroboration were necessary, it had been supplied.

Conviction affirmed.

DECEMBER 11TH, 1914.

SCHMIDT v. SCHMIDT.

Pleading—Statement of Claim—Addition of Cause of Action not Endorsed on Writ of Summons—Rule 109—Alimony—Separate Action—Costs — Undertakings — Security for Costs.

Appeal by the plaintiff from the order of LATCHFORD, J., in Chambers, ante 257, affirming the order of the Master in Chambers, ante 228, striking out of the statement of claim all references to the plaintiff's claim for alimony, made in the statement of claim, but not in the endorsement of the writ of summons.

Leave to appeal was granted by LENNOX, J., in Chambers: ante 392.

The appeal was heard by MEREDITH, C.J.O., GARROW, MACLAREN, MAGEE, and HODGINS, JJ.A.

A. McLean Macdonell, K.C., for the appellant.

George Wilkie, for the defendant Schmidt, the respondent.