

gannon Driving Park Association, 22 O. R. 264, and Elgie v. Edgar, 9 O. W. R. 614. No costs except costs of the trial, which the defendants must pay. J. C. Makins and W. H. Gregory, for the plaintiff. G. Delahaye, for the defendants.

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STANDARD CONSTRUCTION CO. v. WALLBERG—FALCONBRIDGE, C.J. K.B., IN CHAMBERS—MARCH 30.

*Conditional Appearance—Defendant Residing out of the Jurisdiction—Joint Liability.*]—An appeal by the defendant Wallberg from the order of the Master in Chambers, ante 527, dismissing the appellant's motion for leave to enter a conditional appearance, was dismissed with costs to the plaintiffs in any event. Time for moving for leave to appeal to a Divisional Court extended for two days. M. Lockhart Gordon, for the appellant. G. F. McFarland, for the plaintiffs.

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BROWN v. CITY OF TORONTO—FALCONBRIDGE, C.J.K.B., IN CHAMBERS—MARCH 30.

*Leave to Appeal to Divisional Court—Jury Notice—Action against Municipal Corporation—Misfeasance or Nonfeasance.*]—Motion by the defendants for leave to appeal to a Divisional Court from the order of BOYD, C., ante 580, allowing an appeal from the order of the Master in Chambers, ante 526, and restoring the plaintiff's jury notice. The Chief Justice said that he should give the leave—impelled to some extent by the chaotic condition of the practice, but more particularly animated by the hope that the plaintiff may, in the discussion in and judgment of the Court above, get some light as to whether he can hope to bring his action to trial with any reasonable prospect of success. Costs of this application to be costs in the cause. H. Howitt, for the defendants. S. H. Bradford, K.C., for the plaintiff.

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#### CORRECTION.

On p. 545, ante, lines 20 and 21: for "ought to or might not" read "ought or ought not to."