

to make his claims against Polson and Miller personally a ground of liability on the part of the company to him for their alleged wrongful dealings with him, or to make a claim against them in the alternative, as in *Bennett v. Mellwraith*, [1896] 2 Q.B. 464. It was not contended on the argument that either of these claims did appear at present sufficiently, if at all. The defendant should amend within a week as advised. If this was not done, the counterclaim, except as against the plaintiff company, as in paragraphs 19 and 27, must be struck out. The costs of these motions should be to the moving parties in any event, together with all costs lost or occasioned thereby, as in *Hunter v. Boyd*, 6 O.L.R. 639. Frank McCarthy, for Miller. C. A. Moss, for the executors of Polson. R. McKay, K.C., for the defendant, Main.