

CASEY v. KANSAS—LENNOX, J.—JULY 4.

Injunction—Interim Order—Refusal to Continue—Breach—Contempt of Court—Ignorance—Costs.]—Motion by the plaintiff to continue an interim injunction restraining the defendant from proceeding with the erection of a building, and to commit the defendant for contempt of Court in disobeying the injunction order. LENNOX, J., said that the defendant was a foreigner; and it was satisfactorily shewn that he did not understand his position until he consulted a solicitor, and he then went no further. He did not knowingly offend; but, as he had occasioned expense to the plaintiff, he must bear the costs of the branch of the motion relating to committal, fixed at \$10. The plaintiff's counsel said that the work was now practically complete. There appeared to be a bona fide dispute between the plaintiff and defendant; and there was nothing to shew, or even strongly suggest, that the plaintiff was more likely to be right in his contention than the defendant. It was a case in which full justice could be done at the trial, if the parties had not the good sense to come to an agreement meantime. It was simply not a case, as it had been developed, for continuing the interim injunction. Without hampering the action of the trial Judge in any way, the injunction should be dissolved, and the costs reserved for the trial Judge. E. E. Wallace, for the plaintiff. W. C. Hall, for the defendant.

JEWELL v. DORAN—BRITTON, J.—JULY 4.

Conversion of Chattels—Return or Payment of Value—Reference.]—Action by the executor of Melvin J. Clark, deceased, who was the owner of the Windsor Hotel at Sault Ste. Marie and of the furniture and furnishings therein, to recover from the defendants the value of a part of the furniture and furnishings said to have been converted by the defendants. The learned Judge, in a written opinion, summarised the facts, made certain findings thereon in favour of the plaintiff, and directed that judgment should be entered for the plaintiff for the return to him by the defendants of the furniture, furnishings, and chattels belonging to the plaintiff, in the possession of the defendants, or for payment of their value; and for a reference to the Local Master at Sault Ste. Marie to inquire, ascertain, and report what furniture, furnishings, and chattels belonging to