sale was prevented. Evidence of opinion to shew a general depreciation of value caused by the statement is not sufficient in such a case where no lasting injury was shewn to have been caused.

The Court ordered that the judgment in the King's Bench for defendants should be set aside and that judgment should be entered there for the plaintiff for $1,000, with the costs of the action.

O'Connor and *Blackwood*, for plaintiff. *Hudson* and *Howell*, for defendants.

KING'S BENCH.

Mathers, J.] EMERSON *v.* WRIGHT. [March 8.

Receiver—Duty to deposit trust moneys in bank promptly—Municipal treasurer allowing discount on taxes not paid within time fixed—Negligent omission of taxes from roll—Costs.

The defendant was appointed receiver of the Town of Emerson under legislation conferring on him all the powers and authority previously exercised by the mayor and council and by the clerk, treasurer, assessors and collector under the Municipal Act, the mayor and council having resigned in consequence of the town being unable to meet its liabilities. Defendant held the said office from 1894 until 1901, when his appointment was cancelled, and the plaintiff Unsworth appointed receiver in his place. An advisory board o" three, was also appointed by Order in Council under a statute to assist the new receiver. In carrying on the affairs of the town and providing money for the support of the schools, the defendant during his term of office frequently had to borrow money on overdrafts from a local bank on his personal guaranty, and to pay interest on such overdrafts. It was also his duty to collect taxes.

This action was brought for the recovery of money alleged to be due from defendant to the town, and for an account of all moneys received, or which should have been received, for the town by him, and for moneys alleged to have been improperly disbursed by him a such receiver. The statement of claim con-