

a clientage on the whole suiting that character. A layman may not know, and very rarely does know, a lawyer's merit qua lawyer, but the character or reputation of his legal adviser he may fairly estimate. Experience justifies the belief that, with few lamentable exceptions, where there

is any difference in moral status between lawyer and client, the former is the better of the two. Probably there is not at the bar to-day an experienced member of honorable standing who has not had at the bidding of the laity a high-priced chance to depart secretly from his record."

## REPORTS OF CASES.

### Recent Decisions Not Previously Reported.

#### Canadian Decisions.

*Wigle v. Lypps.*—Before Falconbridge, J.—The 20th May.—Reference under sec. 102 of ch. 44, R. S. O. 1887.—Scope of inquiry.—A. H. Clarke (Windsor), for defendants, appealed from report of Mr. Marcon, deputy clerk of the Crown at Sandwich, upon a reference to him, under sec. 102 of Judicature Act, R. S. O. ch. 44, in an action upon several promissory notes, to find the amount of indebtedness of defendants to plaintiff. The referee found that the defendants were liable for the full amount of all the notes but one. The defendants contended that the defendants were released by the dealings of the plaintiff with the Kingsville Preserving Company, who, defendants contended, were the principal debtors. The referee held that this defence was not open on the reference. Rodd (Windsor), for plaintiff, contra. Order made referring the action back to the referee for a specific finding upon the defence men-

tioned and for a finding as to the rate of interest, and to separate principal from interest, and to make other findings, if necessary. Costs reserved until after new report.

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*Re Small and St. Lawrence Foundry Co.*—Court of Appeal.—May 20th.—Before Hagarty, C.J.O., Barton and MacLennan, JJ.—Arbitration—Renewal of lease—Evidence of value—Evidence of net products after payment of taxes, insurance, etc.—Judgment on appeal by executors and trustees of Doctor Small, deceased, from judgment of Meredith, J., dismissing with costs motion by trustees to revoke appointment of arbitrators named in a submission to arbitration to fix rent upon a renewal of a lease of two acres of land on King Street east in the City of Toronto. The trustees objected that the arbitrators refused to receive evidence of the net rental, produced by the land only, of properties fairly comparable with the block of land in question, as