

held that the appeal was irregularly brought, as leave to appeal had not been obtained, and the order was not in its nature final, but merely interlocutory. But, counsel agreeing to waive this objection if the argument was confined to the question of the right of the judgment creditors to examine the appellant, the Court heard the appeal on that question. The Court agreed with RIDDELL, J., that a director is an officer who may be examined under the provisions of Con. Rule 902; and said that, if there could be any possible doubt as to the correctness of this, the case was one in which an order might well be made for examination under Con. Rule 910. An examination under Con. Rule 902 may be had without an order. The appellant, in person. M. C. Cameron, for the plaintiffs.

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GRAY V. BUCHAN—DIVISIONAL COURT—NOV. 2.

*Broker—Purchase by Customer of Shares on Margin—Contract—Terms—Failure to Keep up Margin—Re-sale by Brokers—Findings of Fact—Appeal.*—Appeal by the plaintiff from the judgment of KELLY, J., 3 O.W.N. 1620, dismissing the action and allowing the defendants the amount of their counterclaim, \$18.10. The appeal was heard by FALCONBRIDGE, C.J. K.B., BRITTON and RIDDELL, JJ. The judgment of the Court was delivered by RIDDELL, J., who set out the facts at length, and said that, on the findings of fact, it was plain that, as the plaintiff did not in fact comply with the demand for the margin, made through the agreed channel, he could not complain that the stock was promptly sold—it was just what any one dealing in these stocks expects and must provide against. There was no need to consider the application (if any) of the case cited, Corbett v. Underwood (1876), 83 Ill. 324. Appeal dismissed with costs. J. M. Godfrey, for the plaintiff. G. T. Ware, for the defendants.