

found fault with the length of the evidence and the manner in which it was presented. The action could have been brought in the District Court; and the defendants' counterclaim was exaggerated and without foundation. Judgment for the plaintiff for the amount found in his favour, with the costs of the action, including the costs of the motion for judgment on further directions and of both appeals, upon the County Court scale, and with one-half the costs of the reference, also upon the County Court scale; without a set-off of costs in favour of the defendants. C. A. Moss, for the defendants. W. A. Dowler, K.C., for the plaintiff.

RE MILLIGAN SETTLED ESTATES—SUTHERLAND, J.—MARCH 19.

Settled Estates Act—Order Authorising Sale of Lands—Terms—Costs.]—Petition under the Settled Estates Act authorising a sale of lands settled by the will of Frederick Milligan, deceased. SUTHERLAND, J., said that a clear case seemed to be made out for a sale to the proposed purchaser of the real estate in question at the price of \$28,000, upon the terms set forth in his written offer to purchase. An order should, therefore, be made granting the prayer of the petitioner to that end, and authorising the sale. Following the usual practice, the deposit of \$200 and the further cash payment of \$2,800 on account of principal moneys, to be made upon completion of the sale, should be paid into Court to the credit of this matter and subject to the trusts of the will, and the mortgage for the balance of the purchase-money, in the terms of the offer, should be made to the Accountant of the Supreme Court, also subject thereto. The agent's charge for commission on the sale, as mentioned in the offer to purchase, and the costs of the petitioner and Official Guardian should be paid out of the corpus. H. Cassels, K.C., for the petitioner. F. W. Harcourt, K.C., for the infants.

IMRIE v. WILSON—MASTER IN CHAMBERS—MARCH 20.

Parties—Addition of Plaintiff—Person Interested in Commission Claimed by Plaintiffs—Alleged Promise by Defendant—Discovery—Better Affidavits of Documents.]—This action was brought by Imrie and Graham to recover \$1,315.40 as a commission on the sale of real estate for the defendant. The