

alleged another reason against the validity of the award, viz., the improper reception and exclusion of evidence. Held, that the instances of this should be given, if material to be relied on at the trial. By the 7th paragraph it was alleged that the appraisal was not binding because the proceedings before the appraisers were irregular and unfair to the plaintiffs. Held, that the grounds should be given. By the 8th paragraph it was submitted that the appraisal should be set aside and declared to be void. Held, not embarrassing. Order made for amendment of the 5th, 6th, and 7th paragraphs, as indicated, or for particulars thereof. The defendants to have leave to rejoin within a week after amendment or delivery of particulars. Costs to the defendants in any event. R. McKay, K.C., for the defendants. Frank McCarthy, for the plaintiffs.

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KEYES v. MCKEON—CLUTE, J., IN CHAMBERS—MARCH 21.

*Venue—Motion to Change—Witnesses—Expense—Costs.*]—Appeal by the defendant from the order of the Master in Chambers, ante 899, refusing to change the venue from London to Goderich. The appeal was dismissed with costs to the plaintiff in any event. W. Proudfoot, K.C., for the defendant. Featherston Aylesworth, for the plaintiff.

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HYATT v. ALLEN—SUTHERLAND, J.—MARCH 21.

*Company—Directors—Secret Profits—Trust for Shareholders—Class Action by Certain Shareholders—Fraud—Account of Profits.*]—Action by certain shareholders of the Lakeside Canning Company Limited, on behalf of themselves and all shareholders other than the individual defendants, against the company, and the directors thereof as individuals, to have the individual defendants declared trustees of the moneys and other considerations received by them from the Dominion Cannery Limited for the use and benefit of the shareholders, and to have the rights and interests of all parties interested in and entitled to the proceeds of the sale of the assets of the company, including the proceeds of the sale of the shares of the stockholders therein, ascertained and declared. The learned Judge reviews the evidence at length, and finds that the conduct of the individual defendants was fraudulent, and that a class action can properly