

THE
ONTARIO WEEKLY REPORTER

VOL. X.

TORONTO, OCTOBER 10, 1907.

No. 20

SEPTEMBER 30TH, 1907.

DIVISIONAL COURT.

TORONTO CREAM AND BUTTER CO. v. CROWN
BANK OF CANADA.

*Security for Costs—Action Brought by Liquidator in Name
of Company in Liquidation—Liability for Costs—Assets
of Company—Undertaking of Liquidator.*

Appeal by plaintiffs from order of MABEE, J., 9 O. W. R. 718, reversing order of Master in Chambers, 9 O. W. R. 543, and requiring plaintiffs to give security for costs, by means of an undertaking of their liquidator.

M. C. Cameron, for plaintiffs.

F. Arnoldi, K.C., for defendants.

THE COURT (MULOCK, C.J., ANGLIN, J., CLUTE, J.), dismissed the appeal with costs.

SEPTEMBER 30TH, 1907.

DIVISIONAL COURT.

RE BOYD v. SERGEANT.

Division Courts—Jurisdiction—Division Courts Act, sec. 190—Action Brought in Wrong Court as against Garnishees—Abandonment at Trial of Claim against Garnishees—Objection to Jurisdiction by Primary Debtor—Saw Logs Driving Act, sec. 16—Common Law Cause of Action—Decision of Division Court Judge—Right to Review.

Appeal by defendant from order of RIDDELL, J., ante 377, dismissing a motion for prohibition to the 1st Division Court in the district of Algoma.