

Held, notwithstanding the death, that an order should be made (the executors of the deceased consenting) confirming the report and for the discharge of the committee and the surrender of his bond.

J. E. Jones, for all parties.

Meredith, C.J.] *QUIGLEY v. WATERLOO MANUFACTURING CO.* [April 3.
Parties—Addition of—Separate causes of action—Joinder—Rules 186, 192.

Where the plaintiff sought to join in one action the original and added defendants, in order that he might recover against the original defendants damages for breach of an alleged warranty of title and quiet enjoyment of the property in question, if it should appear that the added defendants rightfully dispossessed him of it, or, if it should appear that the latter were wrong-doers, that he might recover from them damages for the conversion of the property, his motion for an order to add them was refused.

Held, that the causes of action were entirely separate, and there was no right to join them even as alternative causes.

Thompson v. London County Council (1899) 1 Q.B. 840, and *Frankenburg v. Great Horseless Carriage Co.* (1900) 1 Q.B. at p. 512, followed.

D. J. Donahue, for plaintiff. *J. C. Haight*, for defendants. *Grayson Smith*, for proposed defendants.

COUNTY COURT—NORTHUMBERLAND AND DURHAM.

R. v. LIGHTBURNE.

Liquor License Act, R.S.O. c. 245, s. 53—Unincorporated and unlicensed club—Consumption of liquor in premises—Conclusive evidence of sale.

An unincorporated, unlicensed whist club had a room where its members met. The members contributed to a fund wherewith the defendant, the president of the club, procured supplies of liquor, which he kept in the club room. This liquor was furnished by the defendant, who had no license, to the members, and was consumed by them in the club room.

Held, that the defendant was guilty of a violation of s. 50 of The Liquor License Act, as defined by s. 53; and that proof of such consumption of liquor in the club premises by members of the club must be taken as conclusive evidence of sale as against the defendant.

[Cobourg, March 27th.—BENSON, Co. J.]

This was an appeal under s. 118, sub-s (6), of the Liquor License Act, R.S.O. c. 245, by the direction of the Attorney-General, by a License Inspector, against an order made by the Police Magistrate at Cobourg, dismissing an information made by the appellant against the respondent, for a contravention of the provisions of the Act by unlawfully keeping in his premises, (known as the "Horton Block") liquor for sale without the