

the applicant for an offence against the Railway Act, upon the ground of want of jurisdiction.

R. D. Gunn, K.C., for the applicant.

Frank Ford, for the complainant.

STREET, J., held that there was no jurisdiction in Chambers to prohibit a magistrate in respect of a criminal prosecution, and adjourned the motion into the Weekly Court, where it was dismissed on the ground that the applicant had appeared and submitted to the jurisdiction.

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STREET, J.

JANUARY 26th, 1906.

CHAMBERS.

ONTARIO LUMBER CO. v. COOK.

*Particulars — Statement of Claim — Settlement of Accounts — Allegations of Error — Specifications of Error.*

Appeal by plaintiffs from order of Master in Chambers, ante 58, requiring plaintiffs to give particulars of the 8th paragraph of the statement of claim.

A. G. F. Lawrence, for plaintiffs.

A. H. Marsh, K.C., for defendants.

STREET, J., dismissed the appeal with costs.

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BRITTON, J.

JANUARY 26th, 1906.

TRIAL.

HOVENDEN v. O. C. HAWKES LIMITED.

*Principal and Agent — Agent's Commission on Sale of Goods — Time for Payment — Rate of Commission — Contract — Correspondence — Payment for Samples Sent to Agent.*

Action for a commission on the sale of goods by plaintiff as agent for defendants. Counterclaim for price of samples, &c.

J. E. Jones, for plaintiff.

W. E. Middleton and R. G. Hunter, for defendants.