

MAY 30TH, 1907.

DIVISIONAL COURT.

COPELAND-CHATTERSON CO. v. BUSINESS
SYSTEMS LIMITED.

Contempt of Court—Disobedience of Injunction—Wilful Contempt—Company—Sequestration—Effect of Appeal to Court of Appeal from Judgment Containing Injunction—Order of Judge of Court of Appeal Staying Operation of Injunction—Stay of Proceedings in Court below—Jurisdiction to Entertain Motion for Sequestration—Process of Contempt—Securing Obedience to Injunction—Power to Punish—Locus Poenitentiae.

Appeal by defendants from order of MULOCK, C.J., 9 O. W. R. 610, upon an application by plaintiffs for an order directing the issue of a writ of sequestration against the estate of defendants (an incorporated company) for contempt of Court.

W. E. Middleton, for defendants.

W. E. Raney, for plaintiffs.

The judgment of the Court (MEREDITH, C.J., TEETZEL, J., MABEE, J.), was delivered by

MEREDITH, C.J.:—The order appealed from recites that defendants by their counsel admitted a breach of the injunction as set out in the notice of motion for the order, and that they had been found guilty of contempt of the Court by “disobeying the injunction contained in the judgment pronounced in this action on the 22nd day of December, 1906, by making binders, holders, and sheets in imitation of the binders, holders, and sheets of the plaintiffs, contrary to the terms of the said judgment as set out in paragraph 24 thereof,” and that plaintiffs were entitled to the issue of an order for a writ of sequestration as claimed in the notice of motion served, but that a stay of the issue of the writ had been directed to give defendants an opportunity of purging their contempt by presenting to the Court a satisfactory written apology, by making proper reparation for their act of disobedience, and by paying plaintiffs’ costs