

Held, following *Singleton v. Ellison* (1895) 1 Q.B. 607, Wharton's Criminal Law, ss. 1449, and Bouvier's Law Dict. tit. "Bawdy House," that there can be no conviction of a female for keeping a bawdy house unless it is proved that it is occupied or resorted to by more than one female for purposes of prostitution.

Bonnar, for the prisoner. *Campbell*, K.C., for the Police Magistrate. *Patterson*, for the Crown.

Province of British Columbia.

SUPREME COURT.

Full Court.] IN RE FLORIDA MINING COMPANY. [Nov. 7, 1901.

Winding-up—Order for whether final or interlocutory—Appeal—Security—Demand for, after expiration of time for furnishing—Waiver.

Sec. 27 of the British Columbia Companies Winding-up Act, 1898 requires, in an appeal from a winding-up order, the appellant within eight days to make a deposit or give security to prosecute the appeal and pay such damages and costs as may be awarded the respondent. The solicitors for both appellant and respondent were unaware of this provision, and after the expiration of the eight days respondent's solicitors demanded such security for costs as is usually given on an appeal from a final order, appellant's solicitors offered such security as is usually given on an appeal from an interlocutory order whereupon respondent's solicitors, who had discovered the provisions as to security, wrote withdrawing their demand and then took out a summons to dismiss the appeal. Appellants applied to fix amount of security and extend the time for giving it. On the return IRVING, J., dismissed the appeal and dismissed appellant's summons, and appellants appealed from both orders.

Held, 1. A winding-up order is a final order.

2. Respondent had waived his right to take advantage of the security not having been furnished in time.

Taylor, K.C., for appellants. *Davis*, K.C., for respondent.

Hunter, C.J.] WEHRFRITZ v. RUSSELL AND SULLIVAN. [April 4.

Arrest—Ca. re.—Form of writ—Summons to set aside—Appearance.

Action for moneys alleged to be due in respect of unpaid cheque and salary. The defendant Sullivan was arrested on a ca. re. the material part of which so far as this report is concerned was as follows: