

Moreover, whatever surrounding light was cast upon these contradictory stories was in favour of accepting the defendant's evidence rather than that of the plaintiff. Action dismissed with costs. T. H. Lennox, K.C., and C. W. Plaxton, for the plaintiff. J. J. Maclellan, for the defendant.

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AUGUSTINE AUTOMATIC ROTARY ENGINE CO. v. SATURDAY NIGHT LIMITED—BOYD, C., IN CHAMBERS—FEB. 19.

*Libel—Discovery—Defences—Justification—Fair Comment—Particulars—Examination of Officer of Plaintiff Company—Special Damage—Diminution of Profits—General Damage.*]—Appeal by the defendants from the order of the Master in Chambers, ante 453, refusing the defendants' motion to compel better discovery by the president of the plaintiff company upon viva voce examination therefor. The Chancellor dealt with the questions which the president refused to answer upon his original examination, and pointed out, in a written memorandum, which questions should be answered and which need not be answered. Certain of the questions related to damages (the action being for libel); and, as no special damage was alleged, the questions could not be asked in the form in which they were put; but the Chancellor followed the course indicated in *Blachford v. Green* (1892), 14 P.R. 424, and said that, if the plaintiffs alleged diminution of profits, particulars should be given and the examination continued on that line; but, if there was no such claim, there should be no discovery as to general damage. Appeal allowed in part. Costs of the application and appeal to be costs in the cause. G. M. Clark, for the defendants. W. J. Elliott, for the plaintiffs.

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CORRECTION.

IN *SHAW v. UNION TRUST CO. LIMITED*, ante 455, line 9, for "378" read "278."