

After the hearing of the appeals, and while they were standing for judgment, a motion was made by the brewery company for leave to adduce new evidence, shewing the recent development of a crack extending from a rivet to the edge of a plate in one of the boilers. If this evidence were admitted, it could not affect the result, as the crack was not shewn to have arisen from either of the two defects on which the brewery company based their case.

The motion should be dismissed with costs.

FALCONBRIDGE, C.J.K.B., and MAGEE, J.A., concurred.

KELLY, J., agreed in the result.

*Appeals dismissed without costs;
motion dismissed with costs.*

OCTOBER 4TH, 1915.

*McNULTY v. CLARK.

Woodman's Lien—Action to Enforce Claims of Several Persons—Woodman's Lien for Wages Act, R.S.O. 1914 ch. 141, secs. 11, 33—Jurisdiction of District Court—"Claim"—"Person"—Interpretation Act, R.S.O. 1914 ch. 1, sec. 28(i).

Six woodmen each claimed a lien for wages, under the Woodman's Lien for Wages Act, R.S.O. 1914 ch. 141, on certain pulpwood belonging to the defendant. Each claim was under \$200; the claims aggregated \$310.20. The six claimants united in one action, in the District Court of the District of Temiskaming, to enforce their claims. No proceedings were taken to set aside the writ of summons; pleadings were delivered; and the action came down for trial before the District Court Judge, who held that his Court had no jurisdiction, and dismissed the action.

The plaintiffs appealed.

The appeal was heard by FALCONBRIDGE, C.J.K.B., RIDDELL, LATCHFORD, and KELLY, JJ.

J. M. Ferguson, for the appellants.

H. S. White, for the defendants, respondents.

RIDDELL, J., delivering the judgment of the Court, said that