

In regard to the production of documents the same privilege exists as in regard to questions put to a witness or party.

The proposition that a corporation is not liable to an indictment for libel is at least so doubtful that it would not be proper to compel a newspaper publishing corporation to make production of documents which might subject them to a criminal prosecution.

Pharmaceutical Society v. London and Provincial Supply Association, 5 App. Cas. 857, specially referred to.

Legislation suggested, similar to 32 & 33 Vict., c. 24 (imp.), to afford an easy means of proving by whom a newspaper is published.

H. M. Mowat, for the plaintiff.

King, Q.C., for the defendants.

Practice.]

[March 18.

IN RE CASSIE, TORONTO GENERAL TRUSTS CO. v. ALLEN.

Costs—Will—Appeal—Costs out of estate—Watching brief.

The costs of opposing an unsuccessful appeal from a judgment establishing a will and codicil were ordered to be paid to the respondents, who were the executors, and certain legatees, out of the estate, in the event of their not being able to make them out of the appellant; the costs of the executors to be only as on a watching brief.

W. R. Riddell, for the appellant.

H. Cassels and *W. E. Chisholm*, for the respondents.

HIGH COURT OF JUSTICE.

Divisional Court.]

[Jan. 18.

HUTCHINSON v. LA FORTUNE.

Will—Proceeds of real estate equally divided between wife and brother and sister—Half share.

Where testator by his will directed his real estate to be sold and the proceeds to be equally divided between his wife and his brother and his sister, the wife takes a one-half share, and his brother and sister the other half share between them.

W. A. Dowler, for the plaintiff.

W. M. Douglas, for the defendant.

MEREDITH, J.]

[Jan. 22.

RE HAY AND THE CORPORATION OF LISTOWEL.

Municipal institutions—Debentures for electric light works—Limitation to twenty years—Con. Mun. Act, 1892, s. 340.

A by-law passed for the construction of water works and gas or electric light works made the debentures to be issued thereunder payable in thirty years from the date on which the by-law took effect.