

MEREDITH, C.J.C.P.

SEPTEMBER 25TH, 1911.

*BENNER v. MAIL PRINTING CO.

Libel—Newspaper—Libel and Slander Act, sec. 8—Notice—Insufficiency—Action Dismissed on Motion for Judgment on Pleadings.

Motion by the defendants for judgment on the pleadings and admissions of the plaintiff upon his examination for discovery, in an action for a libel published in a newspaper.

C. Swabey, for the defendants.

H. S. White, for the plaintiff.

MEREDITH, C.J., held that the notice served by the plaintiff specifying the statements complained of was not a sufficient notice to the defendants, within the meaning and for the purposes of sec. 8 of the Libel and Slander Act, being addressed: "To W. J. Douglas, Esq., Publisher and General Manager, Mail & Empire." The notice was not given to the defendants, as required by sec. 8.

The Chief Justice also thought the point could be properly dealt with as upon a demurrer, as no evidence that might be given at the trial would help the plaintiff.

Action dismissed with costs.

BOYD, C.

SEPTEMBER 25TH, 1911.

*PEARS v. STORMONT.

Club—Unincorporated Association—Liability of Members for Rent of Club Premises—Lease Signed by Chairman of Executive Committee—Members of Executive Made Defendants—Right to Contribution from other Members.

Action against members of the executive committee of the Tecumseh Amateur Athletic Association (an unincorporated body) to recover \$960 alleged to be due for rent of premises used for the purposes of the association.

*To be reported in the Ontario Law Reports.