

property in question, that there was nothing in a rumor (said to be current) of a big concern having bought, or being about to buy a large parcel of land on the opposite side of the street, of part of which the plaintiff was one of the owners, with the intention of erecting extensive improvements thereon, that he, the plaintiff, had never been approached by any one with a view to purchasing his interest in such property and that part of that property could then be bought at a price per foot frontage very much lower than the defendants were asking for the property in question, even if false to the knowledge of the plaintiff, were held not to be material to the contract or such as to entitle the defendants to refuse to carry out their sale.

3. A misrepresentation as to who the real purchaser was, might, under some circumstances, be so material to the contract as to vitiate it, but in this case the defendants, although they had been told by the plaintiff that he was buying for another named person, could only say that, if they had known that the plaintiff was buying for himself, they would have been suspicious that he was concealing facts which would have made the property more valuable and would not have sold to him at the price actually fixed, and they actually made out and signed the contract of sale in the plaintiff's own name. It was therefore held that the alleged misrepresentation as to the identity of the proposed purchaser was not, under the circumstances, material to the contract.

Wilson, K.C., Andieus, .C., and H. A. Burbidge, for plaintiff. Sutton, Fullerton and O'Connor, for respective defendants.

Province of British Columbia.

SUPREME COURT.

Morrison, J.]

[Oct. 24.

IN RE MABEL PENERY FRENCH.

Statute—Construction—Legal Professions Act, s. 37, sub-ss. 3 (b), 4(b)—Interpretation Act, R.S.B.C. 1897, c. 1, s. 10, sub-ss. 13 and 14—Right of women to admission to legal profession.

On an application for a writ of mandamus to compel the Benchers of the Law Society to accept the application of Mabel