

The appeal was heard by MEREDITH, C.J.O., MACLAREN and MAGEE, J.J.A., and LATCHFORD, J.

W. T. McMullen, for the appellants.

W. M. Douglas, K.C., for the plaintiffs, the respondents.

THE COURT dismissed the appeal with costs.

JUNE 5TH, 1914.

HOWARD v. CANADIAN AUTOMATIC TRANSPORTATION CO. LIMITED AND WEAVER.

*Company — Prospectus — Misrepresentation as to Existence of Patent—Purchase of Shares—Rescission—Fraudulent Misrepresentation by Agent as to Business of Company—Materiality—Inducement to Purchase—Evidence—Repudiation—Promptness.*

Appeal by the defendants from the judgment of SUTHERLAND, J., ante 285.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, and HODGINS, J.J.A.

A. McLean Macdonell, K.C., for the appellants.

T. A. Beament, for the plaintiff, the respondent.

THE COURT dismissed the appeal with costs.

HIGH COURT DIVISION.

MIDDLETON, J., IN CHAMBERS.

MAY 23RD, 1914.

RE MARTIN.

*Surrogate Courts—Tariff of Costs—Increased Fees—Solicitors.*

This was the first application (estate of Joseph S. Martin, deceased) under the recent Surrogate Court tariff for the allowance of an increased fee.

MIDDLETON, J.:—The estate in question is comparatively small—\$8,500. The accounts are simple. There was no contest of any