

way: *McGiffin v. Palmer's Co.*, 10 Q.B.D. 1; and the crowding was caused by the deceased himself depositing closet-seats there.

No. 4 is not warranted by the evidence.

The evidence, however, justifies the answer (2) The plaintiff can recover only under the statute (the Workmen's Compensation for Injuries Act), and the damages must be reduced to the statutory limit, \$1,500, apportioned as follows: to the widow, \$750; to each child \$375.

With this variation, the appeal is dismissed. Because of this small reduction, the defendants are ordered to pay only three-fourths of the plaintiff's costs of appeal.

BRITTON, J., for reasons stated in writing, agreed in the result.

RIDDELL, J., dissented. He was of opinion, for reasons stated in writing, that, upon the findings and evidence, the plaintiff could not succeed, and that the appeal should be allowed and the action dismissed with costs.

CARTWRIGHT V. WHARTON—FALCONBRIDGE, C.J.K.B.—AUG. 21.

Interim Injunction—Infringement of Copyright—Convenience—Motion Adjourned to Trial—Undertaking to Keep Account.]—Motion by the plaintiff for an interim injunction restraining the defendant from issuing or selling a publication alleged to be copied from the plaintiff's Law List for 1911. The Chief Justice said that the season for selling the Law List or Legal Directory for 1911 was over—only an odd copy could be disposed of now. The ends of justice would best be served by directing the motion to stand over until the trial—the defendant keeping an account in the meantime. Pleadings might be delivered in vacation. If, when the cause is ripe for trial, the defendant has matters more important than this action demanding his presence elsewhere, he can apply in Chambers, in the usual way. Costs of this application to be costs in the cause unless the Judge at the trial shall otherwise order. J. H. Moss, K.C., for the plaintiff. D. T. Symons, K.C., for the defendant.

MONTREUIL V. ONTARIO ASPHALT BLOCK PAVING CO.—FALCONBRIDGE, C.J.K.B.—AUG. 22.

Interim Injunction—Nuisance—Delay in Moving—Motion Adjourned to Trial.]—Motion by the plaintiff for an interim