

BRITTON, J.

NOVEMBER 29TH, 1902.

WEEKLY COURT.

## LACHANCE v. LACHANCE.

*Dower—Reference—Report—Reference back — Judgment—Costs—Sale of Land.*

Motion by plaintiff for judgment on report of local Master at Windsor in action for dower, and cross-motion by defendant for a reference back to the Master to take further evidence.

F. C. Cooke, for plaintiff.

R. U. McPherson, for defendant.

BRITTON, J., held, that, considering the small amount involved and the very large expense already incurred, no useful purpose would be served by a reference back to the Master. Defendant's motion dismissed without costs, and judgment for plaintiff for amount found due by the report, increased by the costs of the action, of the reference, and of this motion; the costs of this motion to be taxed as if it had been unopposed; and for sale of the lands on default for one month in payment of amount so ascertained.

FALCONBRIDGE, C.J.

DECEMBER 1ST, 1902.

WEEKLY COURT.

## RE CO-OPERATIVE CYCLE AND MOTOR CO.

*Company—Winding-up—Contributories—Subscription for Shares—Extrinsic Evidence—Placing Shares—Commission—Payment for Shares—Contract—Consideration—Transfer of Assets.*

Appeal by liquidator from report of Neil McLean, official referee, in the matter of the winding-up of the company, refusing to place McPherson, Nott, and Coulter on the list of contributories.

E. B. Ryekman and A. T. Kirkpatrick, for the liquidator.

C. H. Ritchie, K.C., for McPherson.

G. H. Watson, K.C., for Nott.

J. D. Falconbridge, for Coulter.

FALCONBRIDGE, C.J.: — In McPherson's case I accept the findings of the referee, which are based on almost