

architect's letter of the 14th March made no complaint about colour. This letter the defendants professed to set out in their letter of the 14th March, but part of it was, by accident or design, omitted.

In view of these findings of fact, the legal objections were not tenable.

This costly litigation was all about the sum of \$23, as the defendants were willing to pay \$102.

The appeal should be dismissed with costs.

SEPTEMBER 22ND, 1915.

BALLANTYNE v. T. J. EANSOR & CO.

Master and Servant—Injury to Servant—Negligence—Finding of Jury—Evidence—Incompetence of Fellow-servant—Common Employment.

Appeal by the plaintiff from the judgment of LENNOX, J., 8 O.W.N. 297.

The appeal was heard by FALCONBRIDGE, C.J.K.B., RIDDELL, LATCHFORD, and KELLY, JJ.

D. L. McCarthy, K.C., for the appellant.

T. Mercer Morton, for the defendants, respondents.

THE COURT dismissed the appeal with costs.

MACLAREN, J.A., IN CHAMBERS.

SEPTEMBER 21ST, 1915.

*REAUME v. CITY OF WINDSOR.

Appeal—Supreme Court of Canada—Extension of Time for Giving Security—Supreme Court Act, R.S.C. 1906 ch. 139, secs. 69, 71—Special Circumstances.

Motion by the plaintiffs for an order allowing their appeal to the Supreme Court of Canada from the judgment of the Appellate Division, 8 O.W.N. 505, notwithstanding that it was not brought within the 60 days fixed by sec. 69 of the Supreme Court Act, R.S.C. 1906 ch. 139.

*This case and all others so marked to be reported in the Ontario Law Reports.