a full disclosure of the facts: Scougall v. Stapleton, 12 O.R. 206.

The defendant and plaintiff had been friends, good friends, fairly intimate, for a long time. In the examination for discovery the defendant swore he did not think the plaintiff would steal anything. "I did not think the man would steal. I did not know." At the trial, he says, "I did not know," but that he did believe the plaintiff had stolen the bicycle. Both upon his answers to the questions put and from the facts of the case, I am convinced that the defendant had no thought at the time he laid the information that the plaintiff had stolen the wheel on the 27th May or at any other time.

There is ample evidence upon which to find malice—and, sitting as an arbitrator, I find malice; and I do not think any jury properly instructed would find otherwise.

The damages are most moderate, and the plaintiff should have judgment for the amount, with County Court costs of the Court below and here.

CANADIAN BANK OF COMMERCE v. ROGERS—MOSS, C.J.O., IN CHAMBERS—FEB. 11.

Appeal—Leave to Appeal to Court of Appeal—Order of Divisional Court—Absence of Special Circumstances.]—Motion by the defendant for leave to appeal to the Court of Appeal from the order of a Divisional Court, ante 627. The Chief Justice said that he did not think the case presented any special features making it proper to grant leave for a further appeal. Motion refused with costs. R. S. Robertson, for the defendant. Glyn Osler, for the plaintiffs.

BAYER v. CLARKSON—MOSS, C.J.O., IN CHAMBERS—FEB. 11.

Appeal—Leave to Appeal to Court of Appeal—Interest—Amendment of Judgment below.]—Motion by the plaintiff for leave to appeal from a judgment of BOYD, C. The Chief Justice said that the intention of the Chancellor was only to relieve the defendant from payment of interest up to the date of the judgment. The formal judgment might permit of this construction; but, if any doubt existed, there would be no difficulty