

*lars of Statement of Claim—Practice.*] Motion by the defendants (under Rule 507) for leave to appeal to the Appellate Division from the order of MIDDLETON, J., in Chambers, 5 O.W.N. 962. BRITTON, J., said that leave to appeal must be refused. (1) There were no conflicting decisions upon the points involved. (2) There was no reason to doubt the correctness of the judgment from which leave to appeal was asked. (3) The proposed appeal would not, as it seemed to the learned Judge, involve matters of such importance that leave to appeal should be granted. Costs of the motion to be costs in the cause to the plaintiffs. Frank McCarthy, for the defendants. T. N. Phelan, for the plaintiffs.

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SPETTIGUE v. WRIGHT—LENNOX, J.—MARCH 28.

*Surrogate Court—Removal of Action into Supreme Court.*] —Motion by the plaintiff to remove this case from the Surrogate Court of the County of Oxford, for trial, to the Supreme Court of Ontario. Order directing that this action be removed from the Surrogate Court, and that it be tried in the Supreme Court; the time and method of trial, at request of both parties, being reserved for subsequent order. Costs in the cause unless otherwise ordered by the trial Judge. John Macpherson, for the plaintiff. G. S. Gibbons, for the defendants.