

The Ontario Weekly Notes

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APPELLATE DIVISION.

NOVEMBER 9TH, 1914.

COWPER-SMITH v. EVANS.

Master and Servant—Wages—Wrongful Dismissal—Assault—Damages—Counterclaim—Costs.

Appeal by the plaintiff and cross-appeal by the defendant from the judgment of FALCONBRIDGE, C.J.K.B., 6 O.W.N. 722.

The appeal and cross-appeal were heard by MEREDITH, C.J. O., MACLAREN, MAGEE, and HODGINS, J.J.A.

W. C. Mikel, K.C., for the plaintiff.

E. G. Porter, K.C., for the defendant.

THE COURT dismissed the appeal as to the plaintiff's claim, but reduced the amount allowed on the defendant's counterclaim by \$41.50, and dismissed the cross-appeal. No costs of appeal or cross-appeal.

NOVEMBER 12TH, 1914.

*SEILER v. FUNK.

Gifts—Condition—Intended Marriage—Contract Broken off—Recovery of Gifts made in Contemplation of Marriage—Limitation.

Appeal by Idessa Funk, the defendant, from the judgment of the Junior Judge of the County Court of the County of Waterloo in favour of Leslie Seiler, the plaintiff, in an action to recover certain articles given or lent by the plaintiff to the defendant during a period when there was an engagement to marry existing between them. The articles claimed were: the engagement-ring, a \$5 gold piece, a watch, a watch-fob, glass-ware, and silver candelabra.

*To be reported in the Ontario Law Reports.