

## ELECTION CASES.

Osler, J.A.] IN RE LENNOX PROVINCIAL ELECTION. [Nov. 10.  
PERRY v. CARSCALLEN.

*Parliamentary elections—Controverted election petition—Affidavit of petitioner's bona fides—Commissioner—Qualification—Agent for solicitor.*

The respondent to a petition under the Ontario Controverted Elections Act moved to set aside or dismiss the petition and to set aside the service thereof and of the affidavit of bona fides and of notice of presentation, because the commissioner before whom the affidavit was sworn was the solicitor by whom the petition and affidavit were prepared, and by whom, as agent for the petitioners' solicitors, the petition was presented.

*Held*, that the commissioner was not disqualified.

*C. A. Masten*, for respondent. *R. A. Grant*, for petitioners.

## Province of Nova Scotia.

## SUPREME COURT.

McDonald, C.J.] BARTLETT v. NOVA SCOTIA STEEL CO. [June 6.

*Stay of proceedings.*

Security was given and allowed on an appeal to the Supreme Court of Canada from the judgment of the Supreme Court of Nova Scotia granting a new trial. On an application by defendants to stay execution and all proceedings the plaintiff objected to a stay as to the trial and other proceedings, but did not object to the stay of execution.

Order made staying the trial and all proceedings pending the appeal and held that the judge of the Court appealed from had jurisdiction to order the stay.

*J. A. Chisholm*, for plaintiff. *Henry*, for defendants.

Weatherbe, J.] CROCKETT v. ACADEMY OF MUSIC. [July 2.  
*Company—Application of earnings.*

The defendants being an incorporated company issued some preferential stock, which was declared to be a first charge upon its property and bore interest. At the trial of the action it appeared that for several years the earnings did not warrant a payment of any interest. Subsequently the