

of the testator's death. It would be dangerous doctrine that persons merely suggesting infirmity in the will or in the testator's capacity to make one and expressing the intention to oppose probate thereof should be allowed to remain in possession and withhold property of the testator from those named in the will as executors and devisees. The injunction should be continued until the trial or other final disposition of the action. Costs of the motion to be costs in the cause unless the Judge at the trial should otherwise order. T. R. Ferguson, for the plaintiffs. W. C. Brown, for the defendant Mary Sanderson. T. J. Agar, for the defendant Clare S. Laub.

WARE v. HENDERSON—CAMERON, MASTER IN CHAMBERS—
Nov. 18.

Discovery—Examination of Defendant—Secret Process—Disclosure.]—Motion by the plaintiffs for an order striking out the defence of the defendant R. J. Henderson, upon the ground of his refusal to answer the questions put to him upon his examination for discovery in this action relating to his secret process and the ingredients thereof and his disposal of or dealings in connection with the secret process. The Master held, that the said defendant could not upon examination before the trial be compelled to disclose his secret process; but he should attend for re-examination and state whether he used the formulas supplied by the plaintiffs or any of the ingredients thereof—whether they made any addition to these materials, and whether the addition made any difference in the process, but he was not compelled to disclose the nature and quantity of the additions. The affidavits filed on this motion could not be used at the trial. Costs of the motion to be costs in the cause. See *Renard v. Levenstein* (1864), 10 L.T.R. N.S. 94. Grayson Smith, for the plaintiffs. Casey Wood, for the defendants.