

parties agree to have the issues disposed of upon a motion for judgment, the learned Judge will dispose of them on that basis.

An order continuing the injunction until the hearing, on the conditions mentioned, will issue on the 10th November, 1920, unless the parties before that date have agreed to have it disposed of upon motion for judgment.

RE COMMERCIAL AGENCIES LIMITED—KELLY, J., IN CHAMBERS
—Nov. 3.

Company—Winding-up—Petition for Order—Statement of Petitioner—Evidence—Insufficiency.]—Motion on behalf of E. J. Bennett for an order for the winding-up of a commercial company under the Dominion Winding-up Act. KELLY, J., in a written judgment, said that the petition was not verified; that the resolution on which the petitioner chiefly relied as a ground for winding-up was passed by the directors and not by the shareholders; that the unverified material stated, or was intended to shew, that the company was solvent; and that the only evidence of service of the petition was an affidavit of service upon a person who was not shewn to represent or in any way to be associated with the company. The winding-up order could not be made upon the material. Motion refused. F. Regan, for the petitioner.