

the estate of Iromin Christea, deceased, for judgment for the amount agreed upon between the parties, namely, \$600. The circumstances under which the deceased came to his death were not set forth in the material filed upon the application. The plaintiff asked that an order be made directing that the amount to be paid should be apportioned between Trifan Christea, the father of the deceased, and Maria Christea, his step-mother, to the exclusion of certain half-brothers and half-sisters. The Official Guardian objected to this mode of apportionment, contending that the action was under the Workmen's Compensation Act, as well as under the Fatal Accidents Act; while the plaintiff stated that the action was brought solely under the latter Act. The learned Judge said that, not having before him all the facts relating to the cause of the plaintiff's death, the only proper order to make was, that the money should be paid into Court to abide further order. J. A. Ogilvie, for the plaintiff. G. M. Clark, for the defendants. J. R. Meredith, for the Official Guardian.

DURYEA v. KAUFMAN—SUTHERLAND, J.—JULY 27.

Patents for Invention—Infringement—Interim Injunction.] —Motion by the plaintiff for an interim injunction restraining the defendants from infringing the plaintiff's patents for certain inventions relating to the manufacture of glucose, maltose, modified starch, etc. The evidence being conflicting and of a technical character, the learned Judge was of opinion that the plaintiff's case was not so plain a one for the issuing of an interim injunction as to warrant him in granting it. Motion enlarged before the trial Judge, who will also dispose of the costs of it. N. W. Rowell, K.C., for the plaintiff. D. L. McCarthy, K.C., for the defendants.

HENNESSEY DRUG STORES LIMITED v. IMPERIAL DRUG CO.—
SUTHERLAND, J.—JULY 27.

Contract—Sale of Patent Medicine.—Untrue Representations by Vendor—Reliance on by Purchaser—Rescission of Contract—Return of Moneys Paid—Interest.]—Action to set aside a contract made by the plaintiffs with the defendant Kahle (carrying on