

tiff was not possessed of property sufficient to answer the costs of the action if a verdict should be given in favour of the defendant. This fact was also admitted on the examination of the plaintiff. See *Lancaster v. Ryckman*, 15 P.R. 199; *Paladino v. Gustin*, 17 P.R. 553. There would be the usual order for security for costs, with costs of the application. J. W. McCullough, for the defendant. W. C. Davidson, for the plaintiff.

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REX v. McLEAN—KELLY, J., IN CHAMBERS—SEPT. 20.

*Liquor License Act—Selling without License—Magistrate's Conviction—Motion to Quash—Evidence—Jurisdiction.*]—Application by the defendant to quash a magistrate's conviction for selling liquor without a license. KELLY, J., said that the defendant's right to succeed depended on whether there was evidence before the magistrate on which the conviction could be based. For the defendant it was contended that there was not; but, upon the learned Judge's reading of the record, he was convinced that there was evidence on which the magistrate could properly convict. It was true that the evidence was, in some respects, conflicting; but the magistrate, with the witnesses before him, was the one to judge as to the weight to be given to the testimony. In these circumstances, the conviction should not be disturbed. Application dismissed with costs. H. S. White, for the defendant. J. R. Cartwright, K.C., for the Crown.

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COLUMBIA GRAPHOPHONE CO. v. REAL ESTATES CORPORATION LIMITED—HOLMESTED, SENIOR REGISTRAR—SEPT. 24.

*Particulars—Statement of Claim—Damages—Breaches of Contract.*]—This action was brought by lessees against their lessors to recover damages for breaches of agreements contained in the lease as to furnishing electric energy and steam power to the plaintiffs for the purpose of their business. Various grounds of loss and damage were stated in general terms in the statement of claim, and a demand was made by the defendants for particulars of some of the allegations. This demand was answered by the plaintiffs, but the defendants contended that the answer was insufficient, and moved for better particulars.