action on a guaranty. The Master said that the cross-examination of the defendant's officer on his affidavit in answer to the motion, did not seem to put the case any higher for the defendant than in the similar case of Sovereign Bank v. McPherson, 14 O.W.R. 59. An order should go as in that case, if the defendant really wished to have the exact amount due on the guaranty ascertained and formally proved, either on a reference or at a trial. Costs in the cause. D. C. Ross, for the plaintiffs. Featherston Aylesworth, for the defendant.

McVEITY v. OTTAWA CITIZEN CO.—MASTER IN CHAMBERS—SEPT. 21.

Libel—Security for Costs—Insolvent Plaintiff—Allegel Libel Involving Criminal Charge—Report of Proceeding before Magistrate—Animus—Implication.]—Motion by the defendants for security for costs in an action for libel. The motion was supported by an affidavit that there was an unpaid execution in the hands of the Sheriff of Carleton against the plaintiff for over $1,000. This was not in any way controverted. The motion was, however, resisted on the ground that the alleged libel involved a criminal charge. This was based on the fact that the opening words of the report in the defendants' newspaper were as follows: "City Solicitor was exonerated. Was alleged to have entered the premises. Despite the fact that sec. 61 of the Criminal Code of Canada allows (sic) that any trespasser resisting an attempt to prevent his entry into or on to property that is not his own is guilty of an act of assault, Deputy Magistrate Askwith dismissed an alleged case of assault, Saturday, against City Solicitor McVeity, when there was evidence produced to shew that he had used force in an attempt to gain admittance to property other than his own." Thereafter sec. 61 was set out in full, and the evidence taken before the magistrate, the whole report covering three typewritten pages. It was argued that, as it appeared from the report itself that the charge had been dismissed, the words "Despite the fact," etc., could not be said to involve a criminal charge. The Master said that, whatever might be finally decided on this point, in view of the late case of Duval v. O'Beirne, 3 O.W.N. 513, and the authorities there cited, that question must be left to the jury. It might be thought that the animus of the whole report implied that, in the opinion of the writer, the magistrate should have con-