## EXCHEQUER COURT.

BURBIDGE, J.]                                                  [May 3.

### PETERSON *v.* CROWN CORK AND SEAL COMPANY.

*Patents of invention—Action to avoid—Default of pleading —Judgment—.
Registrar's certificate—Practice.*

Upon a motion for judgment in default of pleading in an action to avoid
certain patents of invention, the Court granted the motion, but directed that a
copy of the judgment should be served upon the defendants, and that the
Registrar should not issue a certificate of the judgment for the purpose of
entering the purport thereof on the margins of the enrolment of the several
patents in the Patent Office until the expiry of thirty days after such service.

*J. F. Smellie,* for the motion.

BURBIDGE, J.]                                                  [May 3.

### THE QUEEN *v.* CONNOLLY.

*Practice—Judgment by default—Reference to Registrar.*

Upon a motion for judgment in default of pleading to an information by
the Crown it appeared that the information, while showing that the Crown was
entitled to judgment, did not show clearly the amount for which judgment
should be entered, and a reference was made to the Registrar to ascertain the
amount.

*E. L. Newcombe,* Q.C., (D.M.J.) for the motion.

## Province of Ontario.

## HIGH COURT OF JUSTICE.

ROSE, J.]                                                  [June 29.

### REG. EX REL. McKENZIE *v.* MARTIN.

*Voters lists—Finality of qualification of voter—Municipal election.*

The voters' lists are final as to the qualification to vote at a municipal
election, and, on a motion to set aside the election of a member of a municipal
council, no enquiry will be made as to the elector's right to vote.

Judgment of Mr. Cartwright, Official Referee, affirmed.

*Aylesworth,* Q.C., for the motion.

*H. M. Mowat,* contra.

FERGUSON, J. }
McMAHON, J. }                                        [June 30.

### MAY *v.* WERDEN.

*Security for costs—Prior action—Costs unpaid—New plaintiff—Notice—
Nominal and insolvent plaintiff.*

Security for costs may be ordered where the costs of a former action for
the same cause are unpaid, even although the actions are not between precisely
the same parties, if the plaintiffs are suing substantially by virtue of the same
alleged title.