

PATENT.

Action for infringement—Combination of parts—Prior patent—Novelty—Utility—Trade name—Injunction—Damages. *United Injector Co. v. Morrison*, 608.

Action for royalties—Patented envelope—Non-compliance with postal regulations—Substitution of different envelope—Refusal of defendants to accept—Failure of consideration—Departure from specification—Granting of inconsistent licenses — Dismissal of action. *Neostyle Envelope Co. v. Barber Ellis Ltd.*, 885.

PLEADING.

Action for breach of promise — Allegation of seduction—Claim for support of child—Pleadable in aggravation of damages — As substantive claim—Statutory requirements to be set out—*R. S. O. c. 169. Morris v. Churchward*, 313.

Contract made with agent of undisclosed principal—Election—Necessity of — Discovery of new material—Amendment—Costs. *Phillips v. Lawson*, 655.

Motion to strike out—Action for conspiracy—Former employees — Breach of contracts of employment — Right of plaintiff to present his case in most effective manner — Separate trials refused. *Grip Limited v. Drake*, 333.

Motion to strike out—Paragraph—Irrelevance—Allegation as to particular theatrical performance — General character of performances not pleadable — Costs. *St. Clair v. Stair*, 450.

Motion to strike out paragraph of statement of claim — Incompleteness—Defendants sufficiently notified of plaintiff's claim — Object of pleadings. *Rogers v. National Portland Cement*, 361.

Particulars — Rescission of contract — Fraudulent misrepresentations alleged — Specific particulars to be pleaded. *Murray v. Thames Valley Garden Land Co.*, 52.

Particulars—Statement of claim — Action upon alleged verbal promise — Necessity of particulars of consideration — Costs. *Harris v. Elliott*, 143.

Reply—Motion to strike out—Embarrassment—Function of reply considered. *Regan v. McConkey*, 138.

Statement of claim—Claim to set aside release—Other claims which release would bar—*Con. Rules 298, 531*—Motion to strike out dismissed. *Broom v. Dominion Council Royal Templars*, 62.

Statement of claim—Delivery nine months late—Motion to set aside—Action for personal injuries—Alleged incompetence of plaintiff to instruct solicitor—*Con. Rules 312, 353* — Pleading validated—Terms. *Youell v. Toronto R.W. Co.*, 57.

Statement of claim — Motion to amend—Claim for assault and false imprisonment—Barred by lapse of time—*10 Edw. VII. c. 34, s. 49 (j)*: *Jordan v. Jordan*, 525.

Statement of claim — Motion to amend—Variation in amendment—Costs. *St. Clair v. Stair*, 764, 985.

Statement of claim — Motion to set aside — Irregularity — *Hudson v. Fernyghough*, 61 L. T. 722, distinguished. *Browne v. Timmins*, 187, 290.

Statement of claim — Motion to strike out—Paragraphs — Particulars—Necessity of—Costs. *Murray v. Thames Valley Garden Land Co.*, 161.

Statement of claim — Motion to strike out paragraph—Claim as shareholder of company on behalf of company—Personal claim against company—Inconsistency—Order made. *Jackman v. Worth*, 252.

Statement of claim — Motion to strike out portions—Irrelevancy—Embarrassment—Re-opening of order—Acquiescence in—Leave to appeal. *Wall v. Dominion Cannery*, 13, 117.

Statement of claim—Order for particulars. *Eastern Construction Co. v. J. D. McArthur Co.*, 628.

Statement of claim—Particulars—Order for. *Morgan v. Thames Valley Garden Land Co.*, 163.

Statement of defence—Action for assault and forcible ejection from premises—Defence of police constable — Alleged instructions from superior—Plaintiff alleged to have been drunk and disorderly—Failure of motion. *Fritz v. Jells and Green*, 643, 807.

Statement of defence—Motion to strike out paragraphs—Enforcement of rights of stranger to action sought. *Davidson v. Thompson*, 621.