

E. R. Reynolds, in person.

M. C. Cameron, for the plaintiffs.

THEIR LORDSHIPS' judgment was delivered by

HON. SIR JOHN BOYD, C. (V.V.):—We think a declaration should be made that the order of the Divisional Court of September 23rd, 1912, should have been framed to provide that E. R. Reynolds was an officer of the defendant company, and, as such, can be examined, and that on such examination he make full discovery and production of documents, said order to be amended *nunc pro tunc*. There shall be no costs of the motion before Hon. Mr. Justice Sutherland, nor of this appeal.

HON. MR. JUSTICE SUTHERLAND. NOVEMBER 15TH, 1912.

CHAMBERS.

CAMPBELL v. VERRAL.

GIBSON v. VERRAL.

4 O. W. N. 355.

*Action—Motion to Stay—Judgment Outstanding in Former Action—
Res Judicata—Parties—Costs—Leave to Appeal Refused.*

Motion by defendant to stay actions until a former judgment, recovered by plaintiff upon the same cause of action against Taxicabs Verrals Ltd., was got rid of in some way. After recovery of the judgments in the former action, it was discovered that defendant company, while incorporated, had no assets, and this action was then launched against George W. Verral, trading as the Taxicabs Verral Company.

RIDDELL, J., 23 O. W. R. 363; 4 O. W. N. 300, dismissed motion, costs to plaintiff in any event of cause.

SUTHERLAND, J., refused leave to appeal.

J. M. Godfrey, for the defendants, moved for leave to appeal.

John MacGregor, for the plaintiffs, contra.