

respondent as an authorized witness, but was not signed by the said Mary Lauder, the space in the form of application for the signature of the elector being left blank.

The magistrate held that as the application had not been signed by the elector, the offence alleged in the information had not been proved, and dismissed the information.

H. C. OF A.
1910.
HEARN
v.
HILL.
—

Flannery, for the informant. The respondent has represented himself as witnessing a signature to an application which has not in fact been signed by the elector. He has attested that he has seen Mary Lauder sign the application form. If a person falsely represents that an elector has signed an application for a postal vote certificate, that is an offence against the section.

Per curiam.—The section is free from ambiguity, and the decision of the magistrate was clearly right. Order refused.

Order refused.

Solicitor, *Charles Powers*, Commonwealth Crown Solicitor.

[HIGH COURT OF AUSTRALIA.]

COCK (PLAINTIFF) AND HOWDEN (TRUSTEE)
OF COCK) } APPELLANTS ;

AND

SMITH AND OTHERS RESPONDENTS.
DEFENDANTS,

H. C. OF A.
1911.

*Practice—Appeal to Privy Council from High Court—Order of Privy Council
made an Order of High Court.*

MELBOURNE,
May 25.

An order of the Privy Council allowing an appeal from the High Court was made an order of the High Court.

Griffith C.J.
IN CHAMBERS.

H. C. OF A. APPLICATION IN CHAMBERS.

1911.

—
COCK
v.
SMITH.
—

The Privy Council having allowed an appeal (*Smith v. Cock* (1)) by the respondents, J. M. V. Smith, H. Emmerton and W. Aitken, from the judgment of the High Court in favour of the appellants, Cock and Howden (*Cock v. Smith* (2)), an application was made on behalf of the respondents in the High Court to *Griffith* C.J., in Chambers, for an order that the order of the Privy Council should be made a rule of the High Court and for directions as to taxation of costs.

Pigott, for the respondents.

Starke, for the appellants.

[Reference was made to *L. falsely called H. v. H.* (3).]

GRIFFITH C.J. made an order directing only that the order in Council should be made an order of the High Court, pointing out that the costs would be taxed under the Order in Council, and not under his order.

*Order of Privy Council made an order of
the High Court.*

Solicitors, for the respondents, *Smith & Emmerton*.

Solicitor, for the appellants, *J. W. Dixon*.

B.L.

(1) 12 C.L.R., 30.

(2) 9 C.L.R., 773.

(3) L.R. 1 P. & M., 293.