

went by a short cut, jumped the fence, and when Holden arrived Truesdell was in possession, armed with a crowbar and ready to hold possession against the world.

At the time of Holden's arrival a riot was imminent. The large number of men working in the shipyards had become interested spectators. The manager of the works evicted both Truesdell and Holden, with their respective followings from the premises.

Holden took the position with the dock company that having placed the boat in their possession he was entitled to receive it from them. He said that the company, having received the boat as his bailee, must restore it to him; but possession was not given to him. Holden sought out the manager of the company during the dinner hour and he promised that if Holden went to the dock at 1 o'clock he would give him the boat. In the meantime the crane man of the dock company, about half-past twelve, put the boat in the water. By a singular coincidence Truesdell happened to be looking through the fence. He vaulted the fence, untied the boat, and let her drift from the dock out into the open harbour; then again vaulted the fence and escaped from the dock-yard. By another coincidence none of the dock company's men saw him do this. He had another gasoline boat in readiness for any such contingency, and, getting into this, he went out to pick up the "Olive," and had her taken out and moored to the buoy in the harbour; all before Holden arrived with the manager at 1 o'clock. The manager told Holden to go and get the boat and take her away; and appeared to be much surprised when Holden returned and complained of her absence.

Truesdell in the meantime procured a supply of gasoline, took it out to the boat moored in the harbour, and then took her to the Nottawasaga light house, where he pulled her up and stored her in a boat-house owned by the Dominion Government. Holden searched for the boat in vain, and its whereabouts was not discovered until the trial.

The second action above named is an action brought by Truesdell against Holden to recover a thousand dollars damages which he alleges he has sustained by reason of being deprived of the custody of the boat from the Friday till the following Tuesday, whilst she was in the Collingwood dock-yard.