

## RE MINTY AND BLACKBURN—KELLY, J.—AUG. 6.

*Vendor and Purchaser—Agreement for Sale of Land—Objection to Title—Mistake in Deed of Conveyance—Grantee, Party of Second Part, Described in Grant as Party of First Part and in Habendum as Party of Third Part—Application under Vendors and Purchasers Act.*]—Application by a vendor of land, under the Vendors and Purchasers Act, for an order declaring invalid an objection to the title made by the purchaser. The motion was heard in the Weekly Court, Toronto. KELLY, J., in a written judgment, said that the objection was as to the form of a deed of conveyance of the 27th June, 1888, between Thorne and Nelson, of the one part, and Strathy, of the other part. It was plain from the deed itself, unassisted by evidence aliunde, that the intention of the parties to it was to effect a conveyance of the lands by Thorne and Nelson to Strathy, and that using the words "first part" as descriptive of the grantee in the grant itself, and the words "third part" in the habendum, was clearly an error for the words "second part." The objection could not therefore be sustained. Order declaring accordingly; no costs. H. W. A. Foster, for the vendor. D. B. Goodman, for the purchaser.

## RE LYNETT—FALCONBRIDGE, C.J.K.B.—AUG. 7.

*Quieting Titles Act—Title by Possession—Appeal.*]—Appeal by W. Lynett and others from the finding of the Inspector of Titles in a matter under the Quieting Titles Act. The motion was heard in the Weekly Court, Toronto. FALCONBRIDGE, C.J.K.B., in a written judgment, said that the matter was quite arguable, and he was by no means free from doubt; but he thought that the view taken by the Inspector of Titles was the correct one. Reference to *Re Murray Canal* (1884), 6 O.R. 685; *Fry and Moore v. Speare* (1916), 36 O.L.R. 301. Appeal dismissed; no costs. H. S. White, for the appellants. E. C. Cattanaach, for the Official Guardian, representing certain absentees with a possible interest.