

writ was issued on the 29th January, 1915, and the plaintiff on the following day obtained an interim injunction restraining the defendant from seizing or distraining the goods and chattels mentioned in the chattel mortgage under the powers contained therein or in the lease of the premises and from taking possession of the theatre. The plaintiff now moved to continue the injunction. The defendant filed an affidavit denying all allegations of fraud and misrepresentation. SUTHERLAND, J., said that, in the circumstances, he thought that the injunction might well be continued until the trial, but only on the payment of rent and instalments due under the chattel mortgage, in the meantime, into Court. It was a case in which it was desirable that an early trial should be had; and, unless the parties agreed upon terms as to this, counsel would be heard. Costs of the application to continue the injunction to be costs in the cause. E. Meek, K.C., for the plaintiff. J. Gray, for the defendant.

SURROGATE COURT OF THE COUNTY OF YORK.

WINCHESTER, SURR. CT.J.

FEBRUARY 1ST, 1915.

RE FISHER.

Succession Duty—Mortgages on Land out of Province—Specialty Debts—Domicile of Testator—Succession Duty Act, R.S.O. 1914 ch. 24.

Application by the Solicitor to the Treasury for Ontario, under sec. 12 of the Succession Duty Act, R.S.O. 1914 ch. 24, for an inquiry into the correctness of the inventory of the estate of Donald F. Fisher, deceased, alleging that the Province was entitled to duty upon two mortgages held by the testator at the time of his death on real estate situated in British Columbia.

N. F. Davidson, K.C., for the Solicitor to the Treasury.

C. J. Holman, K.C., for the executor.

WINCHESTER, SURR. CT.J.:—The mortgages are dated respectively the 24th October, 1910, and the 2nd February, 1911, payable in three years after date thereof, securing the sum of \$2,000 each, on property situated in South Vancouver, B.C. The testa-