

established, the vendee was not entitled to the relief prayed, and that the same rule must prevail in granting or refusing relief in cases where the title to the lands in question is vested in the Crown, as where the lands have been granted.

Bown v. West, 111.

SALE.

(WITH RIGHT OF RE-PURCHASE.)

See "Mortgage," 2.

SPECIFIC PERFORMANCE

A. authorised his agent to sell his estate for £500 *cash*; and the agent instead of receiving *cash*, accepted bills from the vendee, drawn on his, the vendee's agent in Europe, which bills the agent applied to his own use, by transmitting them to his correspondents, to whom he was largely indebted, and who placed the proceeds, when honoured, to his credit.

Held, reversing the decision of his Honour, the Vice-Chancellor, that A. was not bound by such acts of his agent, that this was not a payment to A., and that until he received the amount of the purchase money in *cash*, he was not bound to execute a deed of the premises.

Brown v. Smart, 148.

SUMMONS.

(EXECUTION IN ACTION NOT COMMENCED BY.)

See "Practice," 4.

SUPPLEMENTAL ANSWER.

See "Practice," 2.

TAXES.

(ACTION FOR.)

See "Pleading."