

*other—Land Titles Act—Depriving Purchaser of Lien—Personal Judgment against Vendor.*]—Appeal by the defendant Cook from the judgment of RIDDELL, J., 1 O. W. N. 998. The appeal was heard by MULLOCK, C.J.Ex.D., CLUTE and SUTHERLAND, JJ. The Court dismissed the appeal with costs. R. McKay, for the appellant. W. M. Douglas, K.C., for the plaintiffs.

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. HORAN V. McMAHON—RIDDELL, J.—Nov. 10.

*Trespass—Boundary — Survey — Injunction—Damages by — Counterclaim.*]—Action of trespass to determine the boundary between two parcels of land in the township of Albion. The plaintiff obtained an interim injunction restraining the defendants from removing timber from the land in dispute, a rectangle of six acres, and the defendants counterclaimed for damages occasioned by the injunction. In 1887 one Wheelock, a surveyor, ran the line between the two properties. Upon the evidence, the learned Judge cannot find that Wheelock did not strike the true line; and the plaintiff therefore fails. Action dismissed with costs, including all the costs over which the Judge has power. Counterclaim allowed with costs, with a reference to the Master to assess the damages. Further directions and costs reserved until report. L. V. McBrady, K.C., and R. R. Waddell, for the plaintiff. W. D. McPherson, K.C., and E. J. Hearn, K.C., for the defendants.