

alleged, she agreed to sell to defendant, and of which defendant obtained a conveyance without payment of the purchase money, and also for damages for forcible ejection from her land, and injury done to plaintiff's furniture. The plaintiff alleged that the deed of the land was obtained fraudulently from her by the defendant, and that he refused to pay the purchase money, and subsequently entered on her lands, forcibly ejected her, and placed her goods in a barn, thereby doing injury to them.

John McGregor, for plaintiff.

No one appeared for defendant.

THE COURT (MEREDITH, C.J., STREET, J.) dismissed the appeal with costs.

FEBRUARY 16TH, 1903.

DIVISIONAL COURT.

ELLIOTT V. HAMILTON.

*Execution—Sale of Land under—Assignment for Benefit of Creditors  
—Priorities—Costs.*

Appeal by the defendant from the judgment of BRITTON, J. (4 O. L. R. 585, 1 O. W. R. 705) in favour of plaintiff in an action for a declaration that plaintiff was entitled to the possession of certain lands in the township of Darlington and for possession. The plaintiff purchased the land at a sale under execution. There was a question as to priority between the execution and an assignment by the defendant for the benefit of the creditors.

The defendant entered an appeal, which came on for hearing in due course, but no one appeared to support it.

D. B. Simpson, K.C., for plaintiff.

THE COURT (MEREDITH, C.J., STREET, J.) dismissed the appeal with costs.

MEREDITH, C.J.

FEBRUARY, 17TH, 1903

CHAMBERS.

RE PINKNEY.

*Parent and Child—Custody of Infant—Petition of Parents—Dismissal—Special Circumstances—Direction for Sealing up of Papers.*

Petition by Thomas Pinkney and Emily Jane Pinkney, the father and mother of Leland Pinkney, an infant, for an