

December; and the appellants' solicitor states in his affidavit that the letter which he received on the 21st December was the first notice or intimation which he received that the award had been taken up; so that, even if notice of the taking up were necessary—and that is not expressly required by the Act—he had such notice on the 21st December; and the appeal, therefore, was not taken within the time required.

The application is granted with costs.

WILEY v. TRUSTS AND GUARANTEE CO.—DIVISIONAL COURT—
FEB. 8.

Judgment—Form of—Contract—Trustees—Registration of Conveyances—Cancellation.]—A motion was made by the defendants to vary and settle the minutes of the judgment of the Divisional Court of the 24th June, 1912: see 3 O.W.N. 1494. In settling the judgment, the Registrar provided for cancelling the registration of the conveyances. RIDDELL, J., on the 7th November, 1912, delivering the judgment of the Court (FALCONBRIDGE, C.J.K.B., BRITTON and RIDDELL, JJ.) upon the motion, said that that was proper; but it was obvious that, if the registration were to be annulled with nothing further, the vendor might effectively dispose of the land, leaving the trustees without any but a personal remedy. The only reason for cancelling the registration was the agreement on the part of the trustees to hold the transfers unregistered; but the trustees were not to be put in further peril through their ill-advised act. The transfers must be handed to the trustees. The form of judgment submitted by the defendants was the correct one. No costs.—Upon the solicitors going again before the Registrar to settle the minutes, a difficulty arose, and the plaintiffs applied to the Court for a direction. RIDDELL, J., for the Court (8th February, 1912), said that there would be no change in the direction previously given. The form of judgment submitted by the defendants was the correct one. Costs of this motion to the defendants. W. J. Elliott, for the plaintiffs. M. L. Gordon, for the defendants.

PARKS v. SIMPSON—SIMPSON v. PARKS—DIVISIONAL COURT—
FEB. 8.

Judgment—Motion to Vary Minutes—County Court Appeal.]—Motion by Simpson to vary the minutes of the judgment of a