

# The Ontario Weekly Notes

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## APPELLATE DIVISION.

NOVEMBER 27TH, 1914.

### EPSTEIN v. LYONS.

*Title to Land—Ascertainment of Boundary-line between Tiers of Lots—Evidence—Ownership of Legal Estate—Mortgage—Foreclosure—Possession — Non-user — Right of Way—Easement—Injunction—Conveyance to Assignee for Benefit of Creditors—Title Outstanding in Assignee.*

Appeal by the defendants from the judgment of KELLY, J., 5 O.W.N. 875.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, and HODGINS, JJ.A.

E. D. Armour, K.C., for the appellants.

G. Lynch-Staunton, K.C., and W. A. Logie, for the plaintiffs, the respondents.

THE COURT dismissed the appeal with costs.

NOVEMBER 27TH, 1914.

### \*ONTARIO ASPHALT BLOCK CO. v. MONTREUIL.

*Vendor and Purchaser—Agreement for Sale of Land—Specific Performance — Water Lot — Conveyance—Title—Trust for Remaindermen—Costs.*

Appeal by the defendant from the judgment of LENNOX, J., at the trial.

The judgment of LENNOX, J., and that of the Appellate Division upon the main questions are reported in 29 O.L.R. 534.

\*To be reported in the Ontario Law Reports.

27—7 O.W.N.