

There are two points A and B where Dickson's land and McLellan's land come in contact, and both are *easterly*; from the north-west angle of Eccleston's land towards the point, A being *south-east*, and towards the point, B being *north-east*.

It would seem as if the error occurred by saying then east along the *northern boundary of McLellan's land*, instead of along his *southern boundary*, or otherwise along the *northern boundary of Dickson's land*. The effect is either to include or exclude a large tract of land from the Town or Township of Niagara.

Another impracticable description occurred in Niagara, where the radius of a circle of 1,200 yards was to be drawn from a *point in Fort George*.

Fort George enclosed a piece of land of considerable area, and no particular point could be selected. One thought it might have been where the flagstaff stood, another hazarded the conjecture that perhaps it was the centre of the magazine, as it was a very solid structure of brick and iron, but no definite spot could be agreed upon.

A similar description occurs in Toronto, where the western boundary of the city was limited by the periphery of a circle of 1,000 yards radius to be drawn from a point where the east limit of allowance for road between lots 18 and 19 (now Bathurst Street) on being produced $S.16^{\circ}E.$ would intersect *high water mark of Lake Ontario*.

Now, as there are no tides in our fresh water lakes our predecessors supposed that the water of Lake Ontario always remained at the same height, and considered that they had thus sufficiently well defined the centre of a circle from which at any time the circumference could be marked out; but the south limit of Bathurst Street terminated where the Gore Vale Creek had its outlet into the lake, and a considerable deposit of low alluvial land was formed there. The centre of this circle was fixed at high water mark, but in or about what year it was fixed there is no record; and when it is taken into consideration that the difference between high water and low water every six or seven or eight years is 4ft. 6in., or thereabouts, which would shift the centre from 200 to 300 feet, there is little hope at any time of being able to determine either the centre or circumference of this circle.

Whilst we are now criticising these descriptions, which were made eighty or ninety years ago, we might ask the question whether descriptions, which are made at the present day, of mining tracts, etc., will be free from difficulty to Surveyors who may succeed us eighty or one hundred years hence?

The "Windmill Line" in Toronto Harbour.

I was very much surprised to hear a Chief Justice interrupt and contradict a Surveyor who was giving his evidence, and who made a statement to the effect that no one could say where the "Windmill Line" was (that is, a line to the south of which no wharves are to be built). The said Chief flatly contradicted the Surveyor, and said that the "Windmill Line" was as well known as King Street.

Judges on the bench and lawyers on a cross-examination have considerable power, but they sometimes exceed their privilege. I