

tinued to use the river road, and even after Bugar Street was opened and used, the user of the portion of the river road in question continued, and no attempt was made at any time to close it, the public continuously used it without objection, and public money was spent upon it from time to time.

*Held*, following *Mytton v. Duck* (1866) 26 U.C.R. 61, that, even if the user for the first eighteen years should not be taken into account, because of the special clause in the by-law of 1855, there had been, since the right to close became absolute, thirty-two or thirty-three years of uninterrupted user before the bringing of this action, sufficient to establish conclusively a dedication.

*Lynch-Staunton*, K.C., and *Cowper*, for plaintiffs. *Armour*, K.C., and *Pettit*, for defendants.

Divisional Court.]

[June 12.

VOKES HARDWARE CO. v. GRAND TRUNK RY. CO.

*Mechanics' lien—Time for registering lien—Completion of work—Work to satisfaction of architects—Work done after registration of lien.*

Under a contract made with the railway company for the erection of a railway station, the work was to be done to the entire satisfaction of certain named architects. The plaintiffs, who were sub-contractors for a part of the work required to be done, ceased work on the 20th May, under the belief that their work was completed, and their secretary-treasurer, on the 8th of June, made an affidavit stating such to be the fact, with a view of having a lien registered. The architects, however, were not satisfied and required a further work to be done, and work was accordingly done in June, and again in August, and it was not until the 4th of August that the architects were satisfied and accepted the work. The plaintiffs' lien was filed on the 24th of June.

*Held*, that, under the contract the architects being the persons to determine when the work was completed, it was not so completed until they had signified their approval and therefore the lien was registered in time.

*St. John*, for plaintiffs. *Heyd*, K.C., for defendants.