

SOVEREIGN BANK v. SEVIGNY—MASTER IN CHAMBERS—DEC. 7.

Consent Minutes—Motion to Enforce Terms of—Jurisdiction of Master.]—Motion by the defendant for an order dismissing the plaintiffs' motion for an order striking out the statement of defence herein, and for entry of judgment against the defendant for default in complying with terms of consent minutes filed at the trial of this action on the 25th June last, on the grounds, (1) that the action had been settled, and (2) that it could not be made before the Master. Judgment: "I agree with this latter contention. It was decided in *Pirung v. Dawson*, 4 O.W.R. 499, 9 O.L.R. 248, that a motion to enforce a compromise or other agreement must be made to a Judge in Court. The plaintiff's motion was in substance a motion of that kind. Under the circumstances set out in the affidavit of defendant's solicitor filed on this second argument, and not in any way impeached, I think the motion must be dismissed with costs to be set off against the costs taxable against the defendant, such costs being fixed at \$20. F. Aylesworth, for the defendant. H. S. White, for the plaintiffs.

STORIE v. HANCOCK—BOYD, C.—DEC. 7.

Sale of Land—Specific Performance—Contract by Correspondence.]—Action by the plaintiff for specific performance by the defendant of a contract to sell him the north 50 acres of lot 9, in the 2nd concession of the township of East Whitby, for \$3,000. The contract was made by correspondence, the details of which are discussed by the learned trial Judge, defence being a denial of any contract, and of any valid contract by a competent agreement, and the Statute of Frauds. BOYD, C., found the defence not proved and gave judgment for specific performance, with costs to be deducted from the price. J. F. Grierson, for the plaintiff. W. C. Chisholm, K.C., for the defendant.

NIAGARA NAVIGATION CO. v. TOWN OF NIAGARA-ON-THE-LAKE—
MASTER IN CHAMBERS—DEC. 10.

Change of Venue—Recovery of Land—Con. Rule 529(c)—Title to Land Involved.]—Motion by defendants to change venue from Toronto to St. Catharines. The Master said that the motion was apparently made on the assumption that the action was