

as owners would have to pay them, or else that, even if not bound to pay them, they would incur expense in having them removed from the registry office.

Casey Wood, for defendants, contended that the paragraph sufficiently alleged the facts relied on by the defendants as shewing that plaintiff had created clouds on defendants' title, and that other liens might yet be registered; that the plaintiff, having the facts clearly set out, could reply either denying the fact of the existence of the liens, or denying that, if created, under the facts of the case there was liability on defendants' part to pay them.

THE MASTER.—I do not think there is any necessity for amendment. I am not satisfied that without particulars the plaintiff cannot tell what is going to be set up against him at the trial. Unless there are substantial grounds of this character, there is no necessity for amendment of pleadings or for particulars.

So long as a litigant conforms to the spirit of the Rules, he is not to be dictated to as to how he shall frame his pleadings, as was said by Bowen, L.J.

The motion must be dismissed with costs to the defendants in any event.

STREET, J.

OCTOBER 8TH, 1903.

WEEKLY COURT.

RE SYDENHAM SCHOOL SECTION No. 5.

Public Schools—Formation of New Section—Petition—Refusal by Township Council—Appeal—Reference to Arbitration—Award—Exceeding Scope of Reference—Invalidity—By-law—Description—Uncertainty.

Application by the board of trustees of school section No. 5 of the township of Sydenham to set aside an award of arbitrators appointed by by-law No. 638 of the county council of Grey.

On 10th December, 1902, the county council by their by-law No. 623, reciting their reasons therefor and the consent of the corporation of the town of Owen Sound, detached a large tract of land from the town of Owen Sound and attached it to the township of Sydenham. The whole area of Sydenham theretofore existing had been divided into certain school sections.

On 5th May, 1903, the township council refused a petition of a large number of ratepayers for the erection of a new