

DIARY FOR OCTOBER.

1. Tuesday.....Supreme Court of Canada sits. Wm. D. Powell, 5th C.J. of Q.B., 1877. Meredith, J., Chy. Div., 1890.
6. Sunday17th Sunday after Trinity.
7. Monday.....County Court and Surrogate Sittings, except in York. Henry Alcock, 3rd C.J. of Q.B., 1802.
8. Tuesday Sir W. B. Richards, C.J.S.C., 1875. R. A. Harrison, 11th C.J. of Q.B., 1875.
9. Wednesday.....De la Barr, Governor, 1682.
11. Friday.....Guy Carleton, Governor, 1774.
12. Saturday.....America discovered, 1492. Battle of Queenston Heights, 1812.
13. Sunday.....W. R. Meredith, C.J. of C.P.D., 1894.
14. Monday.....County Court and Surrogate Sittings in York.
15. Tuesday.....English law introduced into U.C., 1791.
17. Thursday.....Burgoyne's surrender, 1777.
20. Sunday.....19th Sunday after Trinity.
21. Monday....County Court Non-Jury Sittings in York. Call, last day for notice of Michaelmas Term.
23. Wednesday Lord Lansdowne, Governor-General, 1883.
24. Thursday.... Sir J. H. Craig, Governor-General, 1807. Battle of Balacava, 1854.
26. Saturday Battle of Chateaugay, 1813.
27. Sunday.....20th Sunday after Trinity. C. S. Patterson, J. of S.C., 1888. Jas. MacLennan, J. Court of Appeal, 1888.

Reports.

EXCHEQUER COURT OF CANADA.

TORONTO ADMIRALTY DISTRICT.

'SYMES v. "THE CITY OF WINDSOR."'

Maritime law—Master's lien for wages and ship's necessities—Master's authority to bind ship and owner—Priority of lien over mortgage.

[OTTAWA, Sept. 7, 1895.]

This was an appeal by the defendants, the Third National Bank of Detroit, and the Peninsular Savings Bank of Detroit, from a decree of the Judge of the Toronto Admiralty District (see judgment of McDougall, Local J., *ante* 266), in favour of the respondent, the master of the ship "The City of Windsor," for part of his claim for disbursements made and liabilities incurred for necessities on account of the ship, and for damages for wrongful dismissal. There was also a cross-appeal by the respondent in respect of the part of his claim that was disallowed.

O. E. Fleming for the appellants.

J. F. Canniff for the respondent.

BURBIDGE, J.: "The City of Windsor" was a steamer registered at the port of Windsor, in the Province of Ontario. In 1894, during the time that the respondent was master of her, she was employed as a passenger and freight boat between the cities of St. Catharines and Toronto, and was subject to the provisions of