

thus "otherwise providing," vests, I think, in the municipality the freehold in original road allowances just as fully as the freehold in other roads is vested in the proper municipality by sec. 601. Possession is in the municipality, and full control and responsibility for repairs.

The bridges in question were built by the township of Nepean, and the township may sell them under the powers conferred by sec. 637. They are, in my opinion, "property and assets" of the township. Granolithic sidewalks were in Re Town of Southampton and Township of Saugeen, 12 O. L. R. 214, considered by the learned Chief Justice of the King's Bench to be assets, within the meaning of sec. 18 of the Municipal Act.

The appeal should be dismissed with costs.

MIDDLETON, J., IN CHAMBERS.

SEPTEMBER 30TH, 1910.

* ONTARIO LIME ASSOCIATION v. GRIMWOOD.

Mechanics' Liens—One Claim against Lands of Separate Owners—Entire Contract—Changes in Title—Registry Laws—Summary Application to Vacate Lien—Costs.

Appeal by the defendant Grimwood from an order of the Master in Chambers dismissing the appellant's motion to vacate the registry of a claim of lien and certificate of *lis pendens*.

R. H. Greer, for the appellant.

H. H. Shaver, for the plaintiffs.

MIDDLETON, J.:—James and George Bell owned the land. They made an agreement to sell the entire parcel, consisting of four adjoining lots, 9, 10, 11, and 12, to Baxter and Skipper. Baxter and Skipper agreed to sell the same lands to Grimwood. Grimwood erected a pair of houses on lot 9 and the north 11 ft. of lot 10. He then sold these houses to Baxter and Skipper. As the land had never been conveyed by the Bells, they then conveyed this parcel to Baxter and Skipper. None of these documents are produced, and the only date that can be ascertained is the date of the conveyance which the registrar's abstract shews as the 7th April, 1910. This was registered on the 12th April. The consideration is stated to be \$534. Grimwood is said to have received \$3,500 for the houses. The remaining land, lots 11, 12, and the southerly 8 feet 10 inches

* This case will be reported in the Ontario Law Reports.