## **Hining** law—Continued.

Appeal-Pleadings, 229 Rental—Payment by cheque, not paid—Third parties, 537 Lease—Construction—"To win work and get," 362 Prospector's license-Trade fixtures, 401 Trespass workings—Conversions, 461 Liability for predecessor in title, 461 Injury to adjoining mine by water, 461

### Miscarriage of justice-Compensation for, 385

# Misrepresentation-

See Damages-Insurance-Master and servant-Sale of goods.

#### Mistake-

See Attachment of debts-Contract-Deed-Insurance, life-Liquor License Act-Will.

## Mortgage-

Conveyance absolute but not intended as security-Redemption, 224 Constructive possession of vacant land, 224 Priorities-Purchaser-Notice, 269 Suit on covenant when mortgagee cannot reconvey, 295 Redemption—Reasonable condition, 339
Right of—Notice, 496
Parties—Practice, 60."

Mortgage in possession-Account-Sale of part, 368 Equitable mortgages—Receipt of rent—Refundings, 398 Statute of limitations—Not affected by service of notice of sale, 604 Advances by agent to pay interest—Not in satisfaction, 758
Assignment of—Covenant of assignor—Partial d'scharge, 41

Principal and surety—Release of assignor, 41 Entry of mortgagee—Trespass antecedent to, 786 Foreclosure—Opening, 228

Concurrent action on covenant—Stay, 436
Sale under power—On credit without special power, 295

Of part-Accounting for sale with rests, 483, 559 Practice—Reference—Right to cross-examine on mortgage's affidavit, 800

See Practice-Interest.

#### Mortmain Acts-

Construction of and their relation to English Acts, 757 Gifts for religious societies, 757 Six months' limit, 757

## Motor cars-

See Automobiles.

#### Municipal law-

Municipal institutions in England and Canada—History and scope.of,

Dangerous machine on highway-Use by independent contractors-Liability, 49, 214

Construction and repair of sidewalk-Negligence-Knowledge of condition, 217 Alteration of county boundaries-Misdescription-Quashing by-law, 221