

my decision in order to allow him still further time. He has had several weeks within which to inform himself, but so far there is nothing to indicate what course he intends to take in respect to this claim. The applicant appears to have advertised the property extensively, and to have given reasonable opportunity to possible purchasers to appear at the sale; he is in danger of losing the benefit of the sale, if there be further delay, and I think the property is not readily saleable.

Unless the liquidator, not later than twelve o'clock noon on July 17th, pay the amount properly due to the applicant on this claim, including the costs and disbursements of the sale, and the costs of this application, or give the applicant satisfactory security for such payment, the applicant is to be at liberty forthwith thereafter to continue the sale proceedings and carry out the sale, and he will be entitled to add to his claim the costs of this application.

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HON. MR. JUSTICE KELLY.

JULY 16TH, 1912.

DOUGLAS v. BULLEN.

3 O. W. N. 1619.

*Trespass—Boundary—Interim Injunction.*

KELLY, J., refused to continue until the trial an interim injunction restraining defendant from trespassing on certain lands alleged to belong to plaintiff where the only dispute was as to the ownership of a few inches of land at the rear of lots whose ends abutted on each other.

Costs to be in discretion of trial Judge.

A. McLean Macdonell, K.C., for the plaintiffs.

F. C. Snider, for the defendant.

HON. MR. JUSTICE KELLY:—Plaintiffs moved to have continued until the trial the interim injunction granted on June 10th, 1912, restraining defendant, his servants, etc., “from wrongfully entering upon the plaintiffs’ lands and from pulling down plaintiffs’ fences, from wrongfully taking away the support of the plaintiffs’ lands, from encroaching on the boundary of the plaintiffs’ lands with excavations for a building, or in any other way entering or trespassing upon the lands of the plaintiffs as set out in the writ of summons.”