

man in his condition would do upon being put off the train when and where he was put off.

*German*, K.C., and *Petit*, for plaintiff. *Saunders* and *Cattenach*, for defendants.

Boyd, C.]

BROWN v. BROWN.

[June 17.

*Dower—Locatee of Crown lands—Bond—Unregistered assignment.*

A locatee of Crown lands executed a bond in favour of his son, in consideration of services rendered, that the land should, at his death, be conveyed to the latter, on condition that he paid the Crown dues, which he did. The father afterwards married, and after his marriage, obtained the patent.

*Held*, that his widow was not entitled to dower inasmuch as he had no more than the right of enjoyment for life with the fee held as trustee for his son.

A locatee of land transferred all his interest therein to his son by assignment, which assignment was deposited, but not registered in the Crown lands office.

*Held*, that notwithstanding R.S.O. 1897, c. 26, s. 19, the omission to register did not invalidate the transfer as against the assignor; and it operated so as to prevent the father from dying beneficially entitled, and so defeated any claim of the widow under the Dower Act.

*A. Shaw*, K.C., for plaintiff. *Aylesworth*, K.C., for defendant.

Trial—Teetzel, J.]

KERR v. MURTON.

[June 18.

*Stockbrokers—Dealings on margin—Obligation of broker to sell.*

There is no obligation on a broker in the absence of the customer's orders, to sell shares during a falling of market after he has demanded further margins, and received no reply from his customer; and therefore if he does not sell the stock under such circumstances he has no responsibility for any loss that may arise to the customer.

*Joseph Montgomery*, for plaintiff. *R. W. Eyre*, for defendant.

Britton, J.]

ELLIS v. WIDDIFIELD.

[June 20.

*Public schools—School sections—Subdivision into—Mandamus.*

The Public School Act, 1 Edw. VII. c. 39, s. 12, enacts as follows:—"The Municipal Council of every township (except where Township Boards have been established) shall subdivide the township into school sections so that every part of the township may be included in some section, and shall distinguish each section by a number; provided that no section formed hereafter shall include any territory distant more than three miles in a direct line from the school house." The applicants here asked