prevent their property rights being seriously affected by acts of defendant company done without justification or lawful excuse.

Upon the whole case, I am of opinion that plaintiffs are entitled to the relief claimed, except the declaration which is asked as to the rights of plaintiffs T. AcAvity & Sons, which, it seems to me, is not necessary or proper to be made; and that the injunction should be in such terms as not to interfere with any right which defendants may have to use plaintiff company's trade marks in connection with the sale in Canada of inspirators manufactured by them as described in letters patent No. 7011, or with their representing that they are entitled to the rights (limited to inspirators so made and to them only) which were granted by plaintiff company to Morrison by the agreement of 10th March, 1886.

No attack is made by plaintiffs in the pleadings upon the right of defendants, as assignees of Morrison to do what Morrison was by the agreement of 10th March, 1886, licensed to do, and I have, therefore, not considered whether or not the license to Morrison was assignable; nor, in the view I have taken, have I found it necessary to consider other questions otherwise of more or less importance which were discussed upon the argument.

The plaintiffs are entitled to their costs.

FEBRUARY 28TH, 1903.

DIVISIONAL COURT.

JACKSON v. McLAUGHLIN.

Appeal—Refusal to Reverse Findings of Court below on Weight of Evidence—Correction of Manifest Error.

Appeal by defendant from judgment of County Court of Essex in favour of plaintiff for $181.50, claimed as and for wages due from defendant to plaintiff.

The appeal was heard by STREET, J., and BRITTON, J.

R. U. McPherson, for defendant.

J. H. Rodd, Windsor, for plaintiff.

STREET, J.—The evidence was of the most conflicting character, and we have not in coming to a conclusion upon the appeal before us the aid of knowing the reasons upon which the learned Judge proceeded. We can only assume