

no sufficient ground for directing an issue. Motion dismissed with costs. G. M. Willoughby, for the petitioner. A. J. Russell Snow, K.C., for Sarah Ann Pherill.

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BLAY V. STAHL—KELLY, J.—JULY 6.

*Contract—Division of Water Lot among Riparian Owners—Dispute as to Proper Share of one Owner—Evidence—Costs.*—The parties being owners of adjoining properties bordering on the Detroit river, the defendant Stahl obtained the patent for a water lot in front of the lands of all, and proposed to divide the water lot fairly among the owners, pursuant to an arrangement previously made. The plaintiff brought this action for a declaration of his right to a larger share of the water lot than Stahl proposed to convey to him. The action was tried without a jury at Sandwich. The learned Judge reviewed the evidence in a written opinion and said that the plaintiff had failed to substantiate his claim. The defendants and others interested having signified their willingness that the plaintiff and his wife should be allotted the part of the water lot described in para. 7 of Stahl's defence, the plaintiff and his wife may have conveyances of that portion on compliance with the terms as to payment adopted by the other property-owners. In other respects, the action should be dismissed. The plaintiff to pay the defendants' costs. J. Sale, for the plaintiff and the defendant Julia C. Blay. G. A. Urquhart, for the other defendants.

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HISLOP V. CITY OF STRATFORD—SUTHERLAND, J.—JULY 7.

*Highway—Dedication—Acceptance—Sale of Land Including Portion Dedicated—Acquiescence of Purchasers.*—Action for a declaration that the plaintiffs are the owners in fee simple of a parcel of land in Stratford and that the city corporation, the defendants, have no right or title to the parcel, and for an injunction and other relief. The action was tried without a jury at Stratford. SUTHERLAND, J., read a judgment in which he set forth the facts, and stated that the defendant pleaded a dedication by the Honourable John Idington of the lands comprising the extension of Idington street (the property in question) as a public street or highway and acceptance by the defendants.