

Divisional Court, Ex.D.]

[April 19.]

DUNN v. McCALLUM.

*Mechanics' liens—Lien of material man—Registration of one lien against three separate owners—Validity of.*

Where the owners of three separate parcels of land made three separate contracts with a contractor for the erection of houses on their respective parcels, and materials were furnished by a material man to the contractor which were used by him in the erection of the three houses, such material man is not empowered, under the Mechanics' Lien Act, to register a lien against all the lands jointly.

Judgment of FALCONBRIDGE, C.J.K.B., reversed.

Bicknell, K.C., for plaintiff, appellant. Middleton and Forster, for the other parties.

Divisional Court, Ex.D.]

[April 19.]

REX v. HOLMES.

*Police magistrate—Appointment for town—Ex officio justice of the peace for county—Jurisdiction over offences in another town.*

A police magistrate appointed for a town, notwithstanding he has jurisdiction as a justice of the peace for the whole country, has no jurisdiction to act at the trial of an offence committed in another town for which there is a police magistrate, except at the general sessions, or in case of illness or absence, or at the request of such other police magistrate.

MAGEE, J., dissented.

Frank McCarthy, for defendant. Cartwright, K.C., for the Crown.

Divisional Court.]

FAULKNER v. GREER.

[April 22.]

*Trespass—Wrongful removal of timber from lands—Subsequent sale—Measure of damages.*

The husband of the plaintiff in an interpleader issue conveyed certain lots in June, 1905, to his wife for valuable consideration. Prior to this deed but without his knowledge or that of the plain-