

BOYD, C.

JANUARY 12TH, 1905.

WEEKLY COURT.

CAMPBELL v. HAMILTON CATARACT AND POWER
COMPANY.*Injunction—Expropriation of Land—Compensation—Tenant
for Years.*

Motion by plaintiff to continue an injunction restraining defendants from asserting possession of lands expropriated for the purposes of their works.

J. E. Jones, for plaintiff.

W. W. Osborne, Hamilton, for defendants.

BOYD, C.—The injunction should not be continued. Defendants are properly in possession under the warrant granted by the County Court Judge, and the proceedings for possession were known by plaintiff and not objected to.

I do not preclude the prosecution of this action for the purpose of seeking or obtaining compensation for the alleged rights of plaintiff, as tenant for years, in the land taken. That I do not prejudice, but leave for further litigation. . . . Reference may be made to *Detlor v. Grand Trunk R. W. Co.*, 15 U. C. R. 595.

Injunction is dissolved and costs to be costs in cause.

BOYD, C.

JANUARY 12TH, 1905.

WEEKLY COURT.

RE CORNELL.

*Settled Estates Act—Leave to Sell Land—Trust for Sale at
Named Period—Acceleration with Sanction of Adult Chil-
dren—Advantage to Beneficiaries—Death of one Adult—
Sale without Sanction of Survivor.*

Petition under the Settled Estates Act for leave to sell land.

J. E. Jones, for petitioner.

W. J. Boland, for adult beneficiary.

F. W. Harcourt, for infants.

C. J. Holman, K.C., for the prospective purchaser.