

ute was \$2,100, and the jury were directed to assess damages only at common law. They fixed the damages at the same sum. Judgment for the plaintiff for \$2,100 with costs. A. G. Slaght, for the plaintiff. H. E. Rose, K.C., for the defendants.

BAUSCH V. WILLIAMS—LENNOX, J.—DEC. 4.

Trespass to Land—Title—Damages—Loss of Timber—Quantum.]—Action for a declaration of the plaintiff's title to land and damages for trespass by the defendant and cutting and burning timber thereon. The plaintiff was the locatee of the land, and at the trial the defendant disclaimed any intention to question the plaintiff's title. It was, therefore, found and declared that the plaintiff was entitled to maintain the action; and the learned Judge deals with the question of damages in a written opinion of some length, and assesses the damages at \$350, for which amount he gives judgment, with costs according to the tariff of the Supreme Court. He disallows the plaintiff's claim for damages for bush burnt, but assesses the damages on this head, for the benefit of the plaintiff if he should prosecute a successful appeal, at \$250. D. W. O'Sullivan, for the plaintiff. George Ross, for the defendant.