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	ter—Declarations by deceased
	parent and by members of
	family ante litem motam147

LIEN - Deed - Maintenance ......... 132, 205 See Deed, 1, 2.

——Sale of lumber to be manufactured — Advances by purchaser— Lien on logs \_\_\_\_\_576 See LUMBER OPERATOR.

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See AGENT. 2.

—Prescriptive title—Use of Water— Mill-dam—Interruption of water 543 See River, 2.

LUMBER OPERATOR-Sale of lumber to be manufactured-Advances by purchaser-Lien on logs.] By agreement by which E. agreed to sell a specified quantity of lumber to be manufactured by him, to M., it was provided that the latter should have a lien thereon, and upon the logs for the same, for all advances on account made by him. Advances were made under the agreement, when S. assigned for the benefit of his creditors. None of the lumber had then been manufactured, and while E. had in stream or in booms his season's cut of logs, none had been set apart in order to carry out the agreement: - Held. that M. had not a lien upon the logs for his advances. RANDOLPH v. RANDOLPH.

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MISTAKE—Deed—Rectification ......... 44 See DEED, 4.

——Judge's order—Power to vary... 231 See Order.

MORTCACE — Absolute conveyance—Mortgage or purchase.) Land of the plaintiff worth \$1,500, subject to a mortgage for \$900, and other charges for \$300, was conveyed to the defendant in consideration of his paying \$140 due for instalments under the mortgage, for the recovery of which an action had been brought. The costs of the action were paid by the piaintiff. The Court, finding under the evidence that the deed, though absolute in form, was intended as a mortgage, allowed the plaintiff to redeem. Beaton v. WILBUR.

2 — Company — Debenture mortgage — Foreclosure — Parties — Costs—Form of decree | A suit to enforce a trust mortgage to secure debentures may be brought in the name of the debenture holders, the trustee being made a defendant. In a suit by the holder of debentures to enforce a trust mortgage, the trustees made defendants in the soit were disallowed costs of a part of their answer setting up that the suit should have been brought in their name. Form of decree adopted in suit to foreclose debenture mortgage. Shaugnessy v. The Imperial

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