

TORTS.

Principal of agency does not apply to.—See REGISTRY LAWS, 1.

TRADES UNION.

Intimidation of employees by.—See INJUNCTION, 1.

TRESPASS.

Entry on land to maintain action—Possession.—Actual occupation of land is not essential to give a right to maintain trespass by one who has the legal title. It is sufficient that he enter upon the land so as to put himself in legal possession of it.

Held, that putting up boards on the land by the owner, stating that the land was for sale, was a sufficient entry upon his part to vest the legal possession in him to enable him to maintain formally an action of trespass. *Donovan v. Herbert*, 635.

TRUST AND TRUSTEE.

Disclaimer by cestui que trust—Trust declared in patent.—See HUSBAND AND WIFE, 1.

Request to trustees as a class.—See WILL, 1.

VENUE.

Verdict subject to reference—Failure of reference—Setting aside verdict and granting new trial—Single Judge—change of venue—Practice.—A formal verdict was entered at the Ottawa Assizes, subject to a reference which failed through the omission of the arbitrators to enlarge the time.

A Judge in single Court set aside the verdict, and granted a new trial.

The plaintiffs resided in Montreal, and defendant's officers at Picton, and plaintiffs had some witnesses resident in Toronto. It appeared that Toronto was as easily accessible as Ottawa, and that no inconvenience would be occasioned by a change of venue to Toronto. Under these circumstances the change was directed. *Cooper v. The Central Ontario R. W. Co.*, 280.

WAY.

1. *Right of way—Way of necessity—Registration—Notice—Short form deed—Landlord and tenant.*—B. and W., becoming entitled in 1830, as tenants in common of one hundred acres of land, under a devise, made a partition thereof by agreement, whereby fifty acres were allotted to each in severalty. The fifty acres allotted to B. were land-locked, and there was no way out to the highway, except over the fifty acres of W., over which accordingly B. was allowed by W. to pass at will. In 1840 W. sold to E. the thirty acres of his fifty, next adjoining B.'s fifty acres, and also a strip for a road across the other twenty acres. In 1848 E. granted to the then owner of B.'s fifty acres, a strip for a road along the north side of his thirty acres, and also the strip along W.'s twenty acres conveyed to him in 1840. This made a change in the course of the way theretofore used by B. and his successors, and was thenceforth the course followed by the latter, and was the right of way in question in this action: but this deed was not registered till 1852. B.'s parcel subsequently became vested in the plaintiff, under conveyances granting