

The injunction must be granted restraining defendants from allowing horses or other animals, vehicles and other impediments, to stand or remain in or upon the premises described as a lane in the agreement of 14th November, 1906, referred to in the writ of summons so as to impede plaintiff or other persons lawfully using it and from using that part of defendants' building abutting on said lane as a shipping or warehouse entrance, in such manner as to impede, obstruct or interfere with plaintiff or such other persons. To enable defendants to carry this into effect the operation of this injunction is suspended till April 11th, 1914, subject to any right of the plaintiff to damages. Plaintiff in his writ of summons claims damages as well as an injunction. I have not dealt with that aspect of the case, but will hear counsel as to it at any time they so desire.

Plaintiff is entitled to his costs.

HON. MR. JUSTICE LENNOX.

FEBRUARY 10TH, 1914.

CARIQUE v. CATTS.

5 O. W. N. 886.

Fraud and Misrepresentation—Supplementary Judgment—Damages—Quantum—Costs.

LENNOX, J., supplemented the judgment herein (*ante* p. 639) by fixing plaintiff's damage at \$6,000 and allowing plaintiff full costs of suit.

Judgment herein having been given on January 20th, 1914, (see *ante* p. 639), with leave to amend, the parties submitted amendments on February 4th, 1914, when judgment was reserved, and the following judgment delivered later.

R. B. Henderson, for plaintiff.

H. D. Gamble, K.C., for defendant Catts.

W. E. Raney, K.C., for defendant Hill.

HON. MR. JUSTICE LENNOX: — Pursuant to notice to the defendants the plaintiff applied on the 4th inst. for liberty to amend his statement of claim and filed the proposed amendments. This amendment is allowed, and amendments asked for by defendants at the trial may be made if they desire them.