

FERGUSON, J.

AUGUST 22ND, 1902.

TRIAL.

## LAWRENCE v. TOWN OF OWEN SOUND.

*Water and Watercourses — Municipal Corporation — Acting without By-law.*

Action tried at Owen Sound, brought by the plaintiff, a market-gardener living in Owen Sound, to recover damages for injury to his lands caused by water flowing through a cutting constructed by the defendants without the authority of a by-law.

W. S. Middlebro, Owen Sound, for plaintiff.

G. F. Shepley, K.C., and J. W. Frost, Owen Sound, for defendants.

FERGUSON, J., held, that the defendant corporation are liable for damages. Reference to ascertain the amount thereof. Judgment accordingly with costs.

W. S. Middlebro, Owen Sound, solicitor for plaintiff.

J. W. Frost, Owen Sound, solicitor for defendant corporation.

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## MCDONALD v. HENNESSY.

*Fraudulent Conveyances — Good Consideration — Administrator ad Litem.*

Action brought by the plaintiff to set aside certain conveyances made by the defendant to his wife as fraudulent and void and intended to defeat, hinder, and delay creditors. The plaintiff, in July, 1901, recovered a judgment against defendant for \$1,074.83, for money lent in 1896. In September, 1892, October, 1892, and April, 1893, the defendant purchased land and conveyed to his wife voluntarily without valuable consideration. His wife died in March, 1900, and the defendant has been appointed administrator ad litem of her estate. In January, 1892, defendant and wife made a voluntary conveyance of all their lands to defendant A. L. Cameron, the defendant Hennessy's daughter. The defendant A. L. Cameron, at defendant Hennessy's request, mortgaged part of the said lands for \$700, with which money Hennessy purchased a boat.

A. C. Boyce, Rat Portage, for plaintiff.

F. A. Anglin, K.C., for defendant.