

SEPTEMBER 26TH, 1907.

C.A.

LA ROSE MINING CO. v. TEMISKAMING AND
NORTHERN ONTARIO RAILWAY COMMISSION.

Mines and Minerals—Crown Grant of Mining Lands—Construction—Reservation of Railway Right of Way—Evidence—Description—Plan—Actual Exception of Strip of Land and not mere Easement—Title—Declaration.

Appeal by plaintiffs from judgment of MABEE, J., 9 O. W. R. 513.

G. H. Watson, K.C., and J. B. Holden, for plaintiffs.

D. E. Thomson, K.C., for defendants the railway commission.

G. F. Shepley, K.C., and T. A. Beament, Ottawa, for defendants the Right of Way Mining Co.

A. W. Fraser, K.C., for the individual defendants.

THE COURT (MOSS, C.J.O., MACLAREN, J.A., MEREDITH, J.A.), dismissed the appeal with costs.

BOYD, C.

SEPTEMBER 27TH, 1907.

TRIAL.

WARREN v. D. W. KARN CO.

Injunction—Business Morals—Publication of Testimonials in Garbled Form—Injury to Plaintiff.

Action to restrain defendants from publishing certain letters or testimonials in a garbled form, in the circumstances stated in the judgment.

BOYD, C.:—The case for relief presented by plaintiff may be thus stated. Plaintiff has been trained in the work of organ-building, and by special attention has acquired great skill in the construction of pipe-organs for churches. Thus qualified as an expert, he was employed by defendants as superintendent of their manufactory for about 8 years, from