

purchaser would not have to pay or meet but for the ownership of the land. The clause applies to claims on the land which it is and was the duty of the vendor to remove in order to assure the purchaser a complete title at the date of conveyance. But such title was conveyed to the purchaser by the vendor. There was nothing outstanding which affected or could or might affect the lands or the purchaser in respect of the lands, as and when the conveyance was made to the purchaser, in respect of the unsatisfied judgment and possible execution upon it; but it was the duty of the purchaser to pay that judgment, and it was not part of the bargain that the vendor was to discharge his claims in respect of that unpaid judgment—nor does the general release extend to it. It would be a misuser of the release clause were the purchaser to be thereby absolved from paying the balance due on the judgment, and if he is not free from the incidence of the judgment, why should the land be freed from the effect of an execution issued upon that judgment in regard to the newly acquired estate?

The judgment is the principal thing, and the execution is its accessory and legal incident.

All claims of the plaintiff as to the land have been conveyed and released to the purchaser; what has not been released is his claim upon the unsatisfied judgment: *Barrow v. Gray*, Cro. Eliz. 552.

Appeal allowed. Costs to appellant to be added to his claim.

BOYD, C.

NOVEMBER 9TH, 1903.

WEEKLY COURT.

GURNEY FOUNDRY CO. v. EMMETT.

*Trade Union—Interference with Employers' Business—Injunction—Action against Members of Union—Parties—Representation—Local Bodies—General Council.*

Motion by plaintiffs for an injunction against the members of the Ironmoulder's Union to restrain them from injuring the plaintiffs' business by interfering with workmen, etc., and for an order authorizing defendants to represent the other members.

E. E. A. DuVernet, for plaintiffs.

J. G. O'Donoghue, for defendants.

BOYD, C.—An order should go restraining defendants from issuing and publishing the placards, posters, and printed