

The
Ontario Weekly Notes

Vol. IV.

TORONTO, APRIL 4, 1913.

No. 29

APPELLATE DIVISION.

MARCH 27TH, 1913.

RE GRAND TRUNK R.W. CO. AND ASH.

RE GRAND TRUNK R.W. CO. AND ANDERSON.

Railway—Expropriation of Land—Compensation—Offer of Money and Right of Way over other Land—Arbitration and Award—Jurisdiction—Costs.

Appeals by the railway company from the orders of BRITTON, J., ante 810.

The appeals were heard by MEREDITH, C.J.O., MAGEE and HODGINS, J.J.A., and SUTHERLAND, J.

D. O'Connell, for the appellants.

Grayson Smith, for the respondents.

THE COURT dismissed the appeals with costs.

MARCH 27TH, 1913.

SMITH v. BENOR.

Trust—Conveyance of Land—Consideration—Establishment of Trust—Oral Evidence—Statute of Frauds—Setting aside Conveyance—Finding of Fact—Appeal—Variation of Judgment.

Appeal by the defendant from the judgment of KELLY, J., ante 734.

The appeal was heard by MEREDITH, C.J.O., MAGEE and HODGINS, J.J.A., and LATCHFORD, J.