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CURRENT TOPICS AND CASES.

The Court of Appeal at Montreal, on the 24th February, reversed the decision of the Superior Court, Archibald, J., in *Cusson v. Delorme*, referred to on p. 3 of this volume, and since reported in Quebec Reports, Vol. 10, S. C., p. 329. The case presented an interesting and important question as to the rights and obligations of the parties where a person in erecting a wall has inadvertently encroached a few inches on his neighbour's land. Can the neighbour ask for the demolition of the wall, or merely for the value of the land taken? The court below declined to maintain the action for the demolition of the wall, considering that there was proof of acquiescence and renunciation of right by the plaintiff, and also taking into consideration the fact that the value of the land taken was extremely insignificant. The Court of Appeal has set aside that judgment and maintained the action for demolition, the grounds for reversal being briefly as follows:—The fact that the respondent acted in good faith did not justify him in erecting his wall before he had ascertained the true line of division. The court was of opinion, as a matter of fact, that there had been no acquiescence on the part of the neighbour in the line