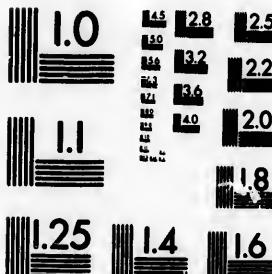
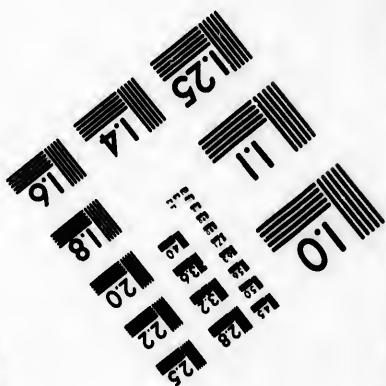


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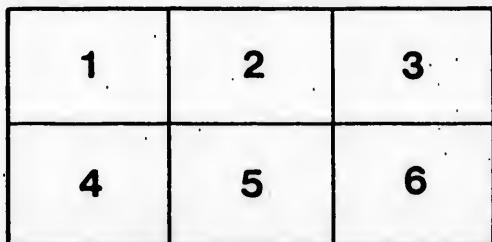
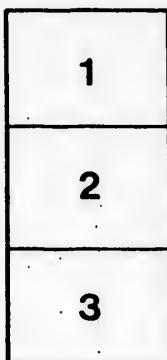
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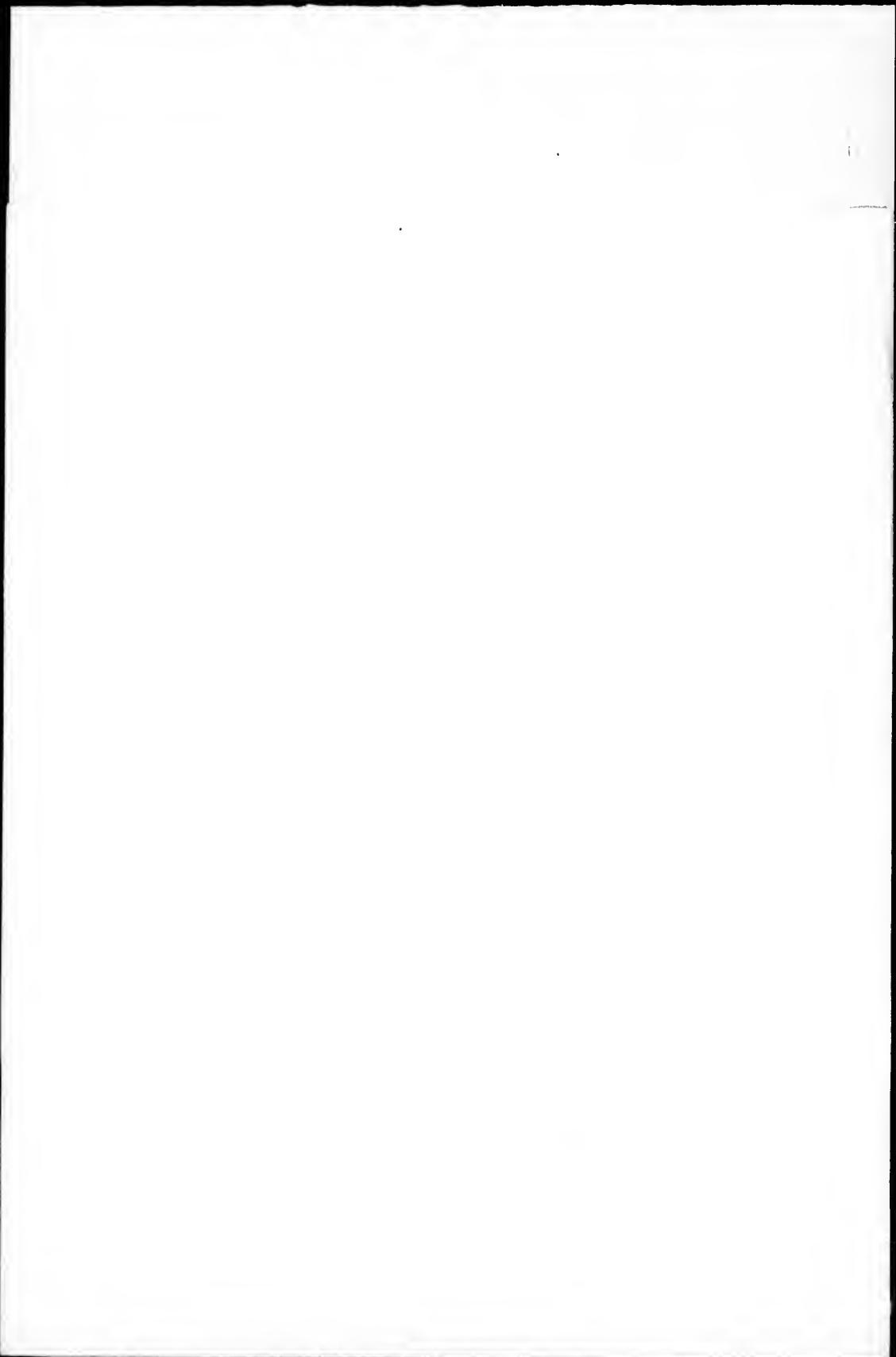
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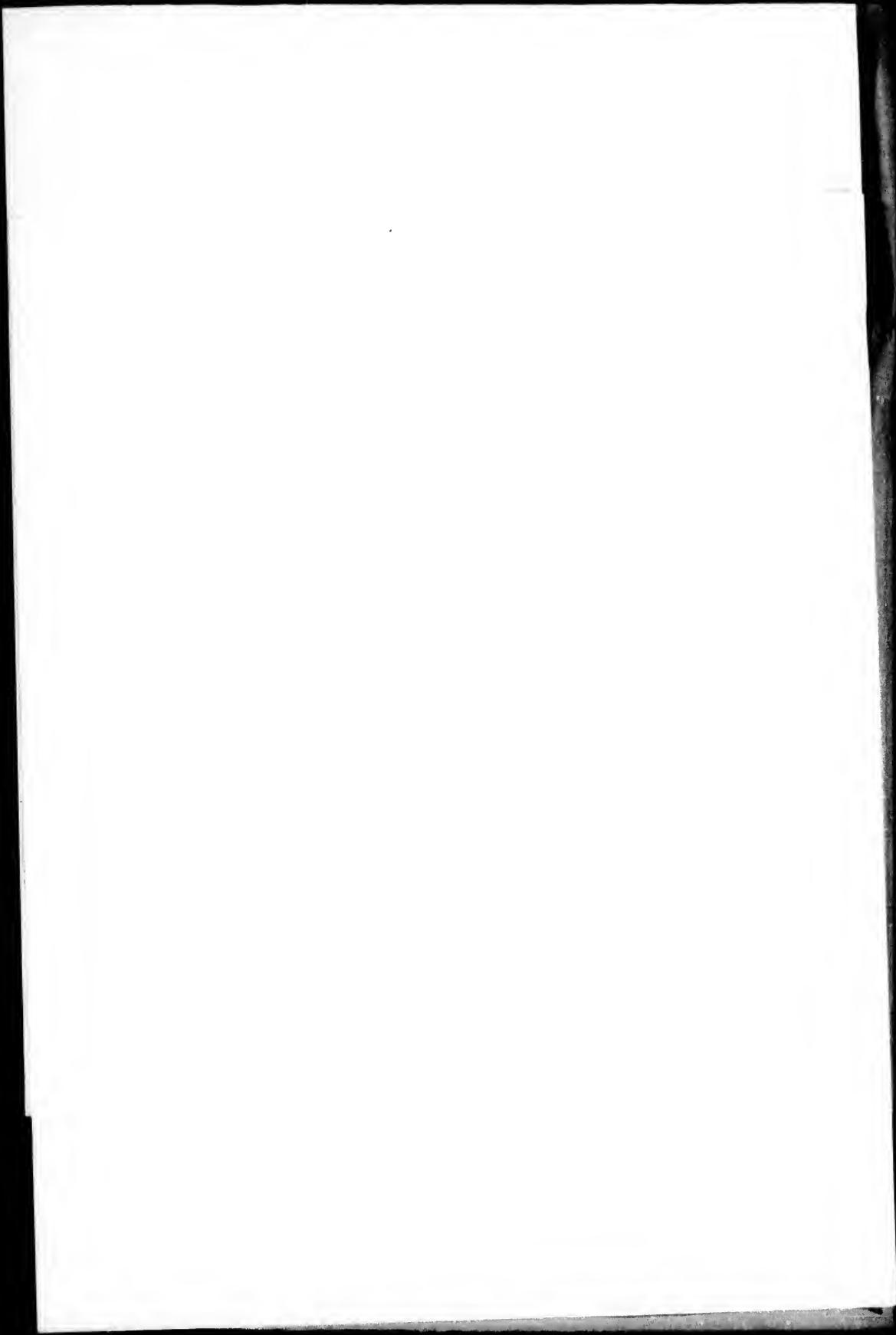
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2708-1 A judgment was given in the Court of Appeal, in which it was held that the land in question was the property of the Appellant, and that the Respondent had no right to sue for recovery of possession and damages, on the ground that the title of the Appellant was good, notwithstanding the fact that the surveyor had made an error in his survey; that the surveyor had not been negligent or wanton in his conduct in relation to the survey of the lands in question, and that the survey of the lands in question was valid under the law of Lower Canada; that the surveyor had not exceeded the requirements of the 11, 15, 16, 18, and 20th sections of the Provincial statute 13 Victoria, c. 55, regulating the survey of lands in Canada, by reason of one of the errors made; that the land in question was and are (in the words of the surveyor) "invalid, insufficient and null and void;" that MacDonald's survey and plan, made at the time of February, 1852, were defective for the like reasons, and were therefore also "invalid, insufficient and null and void;" and the Appellant concluded for a judgment declaring both surveys and plans void to be "invalid, insufficient and null and void," and disannulling the action, with costs. And—

Woolley. — A supposed parsonage exception, by which the Appellants alleged, that by Stanhope's survey and plan, styled of the first of October, 1822, (if they could be held to be sufficient,) the land was described as being in two parcels, the two containing fifty-two acres and a half, and the other seventy-three acres and three-quarters, in all one hundred and twenty-seven acres and three-quarters, English measure in square rods; that at and before the passing of the deed of the 2nd of November, 1826, George Stanhope, senior, represented the whole of the

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