

done this, suitable aid would undoubtedly have been furnished. The county is liable.

Case discharged.

ALLEN, J., did not sit: the others concurred.

LOVERIN & a. v. SCHOOL-DISTRICT No. 3 IN CROYDON & a.

When, by Laws of 1885, c. 43, a school-district is abolished during the pendency of an action against it for the determination of the contested location of its school-house, the defendant's corporate successor, the town district, being the defendant in interest, should be made a defendant of record, and should have notice and an opportunity to be heard.

BILL IN EQUITY, for an injunction against the collection of a school-district tax, and against the building of a school-house on a lot selected by a school committee, and for a decree requiring the house to be built on another lot selected by the county commissioners. Facts found by the court.

A. S. Wait and *H. W. Parker*, for the plaintiffs.

L. W. Barton and *J. M. Shirley*, for the defendants.

DOE, C. J. Since the trial, district No. 3 has been abolished by c. 43, Laws 1885. The town district, being now the defendant in interest on the question of school-house location, should be made a defendant of record, and should have notice and an opportunity to be heard. The plaintiffs may move at the trial term for an amendment and notice; and the case is continued.

CLARK, J., did not sit: the others concurred.

BAKER v. BEERS.

To constitute a conversion of goods there must be some repudiation by the defendant of the owner's right, or some exercise of dominion over them by him inconsistent with such right.

TROVER, for twelve tons of hay; tried by the court. The court found for the plaintiff, and the defendant excepted.

64b	102
66	481
64b	102
67	111
64b	102
69	140
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64	102
Case 2	
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