

DIARY FOR NOVEMBER.

1. Friday.....All Saints' Day.
2. Saturday.....John O'Connor, J., Q.B., died, 1887.
3. Sunday.....*21st Sunday after Trinity.*
5. Tuesday.....Sir John Colborne, Lieut.-Gov. U.C., 1838. Gunpowder Plot.
7. Thursday....T. Galt, C.J. of C.P.D., 1887.
9. Saturday.....Prince of Wales born, 1841.
10. Sunday.....*22nd Sunday after Trinity.*
11. Monday.....Battle of Chrysler's Farm, 1813.
12. Tuesday.....Court of Appeal sits. J. H. Hagarty, 4th C.J. of C.P., 1868. W. B. Richards, 10th C.J. of Q.B., 1868.
13. Wednesday.....Adam Wilson, 5th C.J. of C.P., 1878. J. H. Hagarty, 12th C.J. of Q.B., 1878.
14. Thursday.....W. G. Falconbridge, J., Q.B.D., 1887.
15. Friday.....M. C. Cameron, J., Q.B., 1878.
17. Sunday.....*23rd Sunday after Trinity.*
18. Monday.....Michaelmas Term begins. Q.B. and C.P. Divisional Courts. Convocation meets.
19. Tuesday.....J. D. Armour, 14th C.J. of Q.B.D., 1887.
21. Thursday.....J. Elmsley, 2nd C.J. of Q.B., 1796.
22. Friday.....Convocation meets.
24. *24th Sunday after Trinity.* Battle of Fort Duquesne, 1758.
25. Monday....Marquis of Lorne, Governor-General, 1878.
27. Wednesday.....Frontenac died at Quebec, 1698.
29. Friday.....Convocation meets.
30. Saturday.....St. Andrew. T. Moss, C.J. of Appeal, 1877; W. P. R. Street, J., Q.B.D., and H. MacMahon, J., C.P.D., 1889.

Notes of Canadian Cases.

SUPREME COURT OF CANADA.

Ontario.]

LEWIS v. ALEXANDER.

[May 6.

Municipal corporation—Petition for drain—Use of drain as common sewer—Connection with drain—Nuisance—Liability of householder.

Ratepayers of a township petitioned, under s. 570 of the Municipal Act of Ontario, for a drain to be constructed "for draining the property" described in the petition. The township was afterwards annexed to the adjoining city, and the drain was thereafter used as a common sewer, it being, as constructed, fit for such use. An action was brought against a householder, who had connected the sewage from his house with said drain, for a nuisance resulting therefrom at its outlet.

Held, affirming the decision of the Court of Appeal (21 A. R. 613), TASCHEREAU and GWYNNE, JJ., dissenting, that s. 570 empowered the township to construct a drain not only for draining off surface water, but sewage generally, and the householder was not responsible for the consequences of connecting his house with the drain by permission of the city.

Where a by-law provided that no connection should be made with a sewer except by permission of the city engineer a resolution of the city council grant-