

WATER—*continued.*

injury caused by natural percolation of from another's mine, no tort, 13, 343.
actively shifting natural accumulations of, on to neighbour's land, 343.
allowed to escape and to form ice on a public highway, 32 *et seq.*

WATERCOURSE,

if navigable river, obstruction to, proper remedy by indictment, unless special damage proved, 9, 10.
right to use of surface watercourse vested in riparian proprietors, 375.
aliter with regard to subterranean water, 376.
disturbance of right to use of, 377.
damage essential to an action for disturbance of, *ib.*
fouling a well, 379.
drawing off underground water, where actionable, *ib.*
penning back water in, *ib.*
prescriptive rights in derogation of other riparian proprietors, 380.
rights may be gained in an artificial, 381.
action for obstructing, right to recover though no damage proved if private right infringed, 8.

WAY. *See* NUISANCE.

obstruction of a public, may be a tort, 14.
peculiar damages to plaintiff necessary to maintain action for, 10, 14.
unfenced hole adjoining a, may be a tort, 15.
obstruction of private, 16, 381 *et seq.*, 387.
right of, 381.
only gained by prescription or grant, *ib.*
right strictly limited by terms of grant or by mode of user, 382.
right of, of necessity, 383.
cessor of right when necessity ceases, 384.
implied grants of way over private roads, *ib.*
prescriptive rights of way, *ib.*

WIFE,

may sue for loss caused by the killing of her husband, 129, 320.
liability of husband for torts of, 72.
may sue without joining her husband, 65.
for alienation of husband's affections, 8.

WINDOWS. *See* LIGHT AND AIR.**WORDS.** *See* DEFAMATION.