

## WATER—(Continued).

2. Erection of Dam in River—Maintenance and Use Causing Injury to Owners and Occupants of Land—High Water-level—Neglect to Use Means to Reduce—Liability of Company Controlling Operation of Dam—Damages. \**Smith v. Ontario and Minnesota Power Co. Limited*, 13 O.W.N. 445.—KELLY, J.
3. Navigable River—Obstruction by Logs—Public Nuisance—Right of Traveller to Abate—Aggravation of Nuisance by Plaintiff—Loss Occasioned to Plaintiff not Recoverable—Unlawful Obstruction—Navigable Waters Protection Act, R.S.C. 1906 ch. 115, sec. 4—Question not Raised until Argument of Appeal. *Lapointe v. Abitibi Power and Paper Co.*, 13 O.W.N. 232.—APP. DIV.

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## WATER-LOTS.

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2. Public or Private Lane in City—Dedication as Highway—Evidence—Onus—Intention of Owner of Land—Acceptance—Public User—Tolerance—Absence of Municipal Action—Right of Way—Easement—Devise—Lost Grant—Prescriptive Right—Limitations Act, sec. 35. *Baldwin v. O'Brien*, 12 O.W.N. 256, 40 O.L.R. 24.—APP. DIV.

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1. Bequest of Fund to Provincial Treasurer for Investment and Payment of Interest in Perpetuity to Charity (Hospital)—Ontario Statutes 9 Edw. VII. ch. 26, sec. 42; 10 Edw. VII.