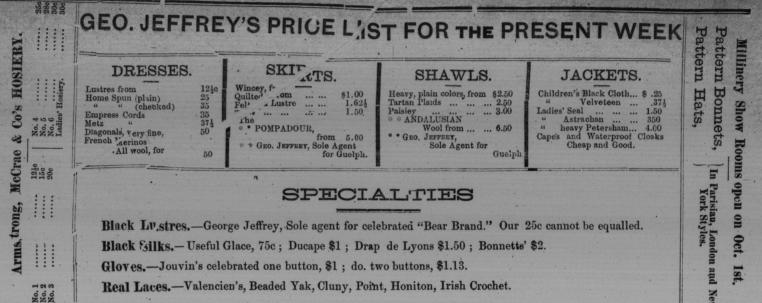
Suelph Evening Mercury

MONDAY EV'G, OCT. 19, 1874. WELLINGTON FALL ASSIZES. to be stopped outirely, and it is thun us matter to him, while the dam, ne to Mr. Hood's hand jis not, even en, nearly equal to the amount of -\$2,000.

The doue to Mr. Hood's land is not, even if proven, nearly equal to the amount of claim.—92,000. Mr. Camoron then addressed the jury on behalf of the plantiff.—He deprecated the idea that Mr. Gow had erected his works in the public interest. If Mr. Gow magges in public works he must not do so at the expense of Mr. Hood or any-one clae when the necessity of water—if such there may be—ean be obviated by employing steam as a motive power. The evidence of the surveyors was referred to as proving that not only the present dam, but the second one also, exercised an influence in backing the water. Mr. Hobson made an examination in 1862 and found a current in the water near Hoods property, but on a second visit in 1966 this current was not to be seen. The evidence of Mr. Gooper, which op-posing counsel considered curious be-cause it made the water run up stream, was clear when it was known that wh water is consequently te⁻ of a deepened. This secounts f. — sporarily that Mr. Gooper found the awater up the fact that Mr. Hood aris red at this way, and that, in fact, the water ran through he main drain to the size at none has the stream it is consequently te⁻. The was conteded for the water ran through the Mr. Hood aris red in this way, and that, in fact, the water an through he main drain to the size and this way. I haven to the *e* store than it is now. I haven to the *e* store than it is now. I haven to the *e* store than it is now. I haven to the *e* store than the start and heat if the based rame at the second one Mr. Miller's evidence was alluded to to show that these drains were cut if any the store and heat \$2,000 for the preperty and built a house costing \$000 en cit. The rent now is \$150 per year, while the interest on the money in-would be \$120. In view of these facts, unt else if any thouse of these facts, unt else if any threes the store in the interest would be that the present it is now.

year, while the interest on the money in-vested is the purchase at 6 per cent would be \$1.00. In view of these facts, while show if at et present its mult is not would bring in a considerable revenue, the smout set which Mr. Hood estimates his loss \$2000 — is inconsiderable. His I created as a market garden, which would bring in a considerable revenue, the smout set which Mr. Hood estimates his loss \$2000 — is inconsiderable. His I create the addressed the jury. He con side ad the case was a m st im-portant, one, but a great number of wit-nesses had been examined, whose evi-dence was not of great weight. The first question was, does the dam back water on far. Hood's land? The evidence of Mr. Paesmore, as well as others, was fav orable to the affirmative. But the realingary which Mr. Hood has sustained is morely that which has been caused directly by the building of the dam. His land is naturally markhy, and he claims that he has been prevented from draining it, as the could have done, if the river were in its natural state. The evidence shows clearly that the plaintiff's land was floodel, and that the water in the rive had been raised higher than it was before the dams were lower than the first on the right of prescription would be allwed Mr. Gox, because by the exist-ence of the first am for twenty years, he had obtained the privileges of use. The plaintiff is not entitled to recover dam-ages for more than a markh. At the close of the damages will be according to whether the land can be hought to its former state, which was not, as is hown, better than a markh. At the close of the Judg's address. Mr. Kerr requested his Lordship to red. Robert Crowe's evidence, which was tomen.



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 150 pieces extra Heavy Fulled Cloth, only half a doilar, worth 75c a yard.

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