brought on a policy of insurance against accident. The statement that the plaintiff was in a sound condition mentally and physically was made a warranty by the policy. After the issue of the policy the plaintiff severely sprained his wrist. The defendants for seven quarters paid him the amount provided in the policy for total disablement, and then refused to pay him any more. It appeared that ten or fifteen years before the date of the policy the plaintiff had suffered from a tubercular affection of a small part of his left lung which had caused a lesion which had been healed. There were concurrent findings that at that date there had been no active tuberculosis in the plaintiff's arm, but that there was in his system tuberculosis, which was latent, and would have remained harmless, had it not been for the accident; and that, apart from tubercular affection, the wrist would have recovered within six months of the accident. In consequence of tuberculosis having developed in the arm, the plaintiff was permanently disabled. The defendants contended that this disablement was not exclusively due to the accident, and, therefore, was not covered by the policy; but the Privy Council (Lords Haldane, Dunedin and Shaw and Sir Arthur Channel) agreed with the Court below, and adopted with approval the view of Middleton, J. "T is diseased condition is not an independent and outside cause, but is a consequence, and effect of the accident." The appeal was therefore dismissed, and, as leave to appeal had been granted on the terms that if the appeal failed the respondents should get costs as between solicitor and client, it was so ordered.

British Columbia—Railway—Exemption of railway lands from taxation—Filing of plans and book of reference—Approval of plans—Condition—R.S.B.C. (1911) c. 194, ss. 17, 18.

Canadian Northern Ry. v. *New Westminster* (1917) 1 A.C. 602. By an Act of the Legislature of British Columbia the appellant company and . . . all properties and assets which form part of, or are used in connection with, the operation of its railway were exempt from taxation. The Railway Act of British Columbia (R.S.B.C. c. 1[illegible]4) provides that a company proposing to make a railway shall make a plan, profile and book of reference which are by s. 18 to be submitted to the Minister, who, if satisfied therewith, may sanction the same. The Court of Appeal of British Columbia, affirming the judgment of Murphy, J., held that land purchased by the appellant company with the intention of using it for the purposes of its railway was not exempt from taxation,