

The
Ontario Weekly Notes

VOL. XV. TORONTO, SEPTEMBER 27, 1918. No. 3

APPELLATE DIVISION.

SECOND DIVISIONAL COURT. SEPTEMBER 19TH, 1918.

MANIE v. TOWN OF FORD.

*Municipal Corporations—Drainage—Cellar of House Connected
with Municipal Drains—Injury by Flooding—Defective Sys-
tem—Action for Damages—Finding of Jury—Jurisdiction—
Statutory Remedy—Costs of County Court Action.*

Appeal by the defendants from the judgment of LENNOX, J.,
14 O.W.N. 83.

The appeal was heard by MULOCK, C.J.Ex., CLUTE, RIDDELL,
SUTHERLAND, and KELLY, JJ.

F. D. Davis, for the appellants.

J. Sale, for the plaintiff, respondent.

THE COURT dismissed the appeal with costs, and ordered that
the costs of the County Court action referred to in the judgment
below should be added to the plaintiff's costs of this action and
paid by the defendants to the plaintiff, after taxation.

SECOND DIVISIONAL COURT. SEPTEMBER 20TH, 1918.

CURRY v. GIRARDOT.

*Mortgage — Foreclosure — Title of Mortgagor — Remedy upon
Mortgagor's Covenant for Payment—Statute of Limitations—
Counterclaim—Breach of Agreement—Statute of Frauds.*

Appeal by the defendant Girardot from the judgment of
MIDDLETON, J., 7 O.W.N. 642.

4—15 O.W.N.