

Graham, E.J.]

[Dec. 7, 1910.]

**DENNIS v. CITY OF HALIFAX.**

*Municipal corporation—Supply of water for domestic purposes—Instalment of water meters—Regulations affecting—Words "service pipe"—Interference with city officials—Remedy.*

The Halifax City Charter authorizes the city engineer to cause a water meter to be placed on any service pipe supplying water to any premises in the city, and by other sections provisions are made giving city officials license to enter any such premises at reasonable times and to remain thereon for such reasonable length of time as may be required for the purpose of fixing, examining or reading the meter, etc.

*Held*, 1. That in determining the meaning to be given to the legislation the provisions of the charter must be read as a whole.

2. The words "service pipe" apply to the pipe leading from the main pipe in the street extended to and inside the wall of the house, whether the house is on the line of the street or back from it and that such pipe must go a reasonable distance inside the wall of the house, for the purpose of connection and use.

3. It appearing from the evidence that the meter placed in defendant's premises recorded accurately the quantity of water used and was reasonably close to the wall, and was removed by defendant and that defendant refused to permit the city official sent there for that purpose to replace it, this refusal was a sufficient interference to justify the engineer in proceeding in the event of a continued refusal to turn the water off from the premises.

*Allison*, for plaintiff. *Bell*, K.C., for defendant.

## Province of Manitoba.

### COURT OF APPEAL.

Full Court.]

[Nov. 28, 1910.]

**STEWART v. TESKEE.**

*Joint tortfeasors—Liability for damages not necessarily the same in amount for all.*

Since the fusion of common law and equity the damages assessed against a number of joint tortfeasors need not always