

gested. At the new trial ordered the County Court Judge again nonsuited the plaintiff who appealed to the Court of Appeal. Held, that the evidence shewed that it was unnecessary to cut down the trees for the purpose of running the required trial line and that the plaintiff was entitled to recover in the action, and that judgment should be entered for him for \$250 damages and cost of both trials and both appeals.

Barrett v. Can. Pac. Ry. Co., 16 Man. L.R. 549, 558, 6 Can. Ry. Cas. 356, 364.

KNOWLEDGE OF REASONABLE USER OF LAND—NOTICE PRESUMED.

A trespasser on lands is to be dealt with as having notice or knowledge that the owner of the land will try to use it in any reasonable and usual way which may be profitable to him, and is accountable for damages accordingly. [10 Halsbury's Laws of England 317, discussed; Lloyd v. Dartmouth, 30 N.S.R. 298, specially referred to.]

Marson v. Grand Trunk Pac. Ry. Co. (Alta.), 14 Can. Ry. Cas. 26, 1 D.L.R. 850.

[Followed in Lavallee v. Can. Northern Ry. Co., 4 D.L.R. 376.]

TRESPASSERS.

Animals, see Fences and Cattle Guards.

Persons generally, see Carriers of Passengers; Crossing Injuries; Fences and Cattle Guards; Street Railways.

TRIAL.

See Pleading and Practice.

ULTIMATE NEGLIGENCE.

See Negligence; Employees; Street Railways; Carriers of Passengers.

UNDERPASS.

See Farm Crossings.

UNJUST DISCRIMINATION.

As affecting classification of tariffs, see Tolls and Tariffs.

In supplying cars, see Cars.

VENUE.

See Pleading and Practice.

VERDICT.

See Pleading and Practice.

VESTIBULE CAR.

See Carriers of Passengers.

VIADUCT.

See Bridges; Highway Crossings.