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No. 7

APPELLATE DIVISION.

FIRST DIVISIONAL COURT.

OCTOBER 15TH, 1917.

*DELBRIDGE v. TOWNSHIP OF BRANTFORD.

Ditches and Watercourses Act—Award of Engineer—Construction of Ditches—Culvert—Lowering of—Injury to Land by Water Brought down—Liability of Township Corporation—Responsibility for Acts and Omissions of Engineer—Liability of other Land-owners—Failure to Register Award—"Instrument"—Registry Act, R.S.O. 1914 ch. 124, sec. 71—Purchaser for Value without Notice—Easement Affecting Land—Damages—Costs—Amendment.

An appeal by the plaintiff from the judgment of the County Court of the County of Brant dismissing an action to recover damages for injury done to the plaintiff's land by the bringing down to and discharging upon it of large quantities of water.

The appeal was heard by MEREDITH, C.J.O., MACLAREN and MAGEE, JJ. A., LENNOX, J., and FERGUSON, J. A.

W. S. Brewster, K.C., for the appellant.

A. E. Watts, K.C., for the defendant the Corporation of the Township of Brantford, respondent.

J. Harley, K.C., for the defendant Grummett, respondent.

W. M. Charlton, for the defendant Greenwood, respondent.

The judgment of the Court was read by MEREDITH, C.J.O., who said that the appellant's land had an area of about 2½ acres,

* This case and all others so marked to be reported in the Ontario Law Reports.