

inherently dangerous—Instances of—Licenses granted in excess of or without lawful authority—License for area in sidewalk in Ontario—Special legislation—Effect of—Authorities.

CHAPTER XI. § 234

MUNICIPAL KNOWLEDGE OF THE DEFECT.

Statement of the law—Authorities—Obstructions and excavations—Defect created by the corporation—Instances of—Authorities—Work done by contractor—Work done by licensee—How knowledge may be acquired—Authorities—Actual notice—What it should contain—To whom the notice should be given—Street overseer—Members of the council—Pathmaster—Policeman—Subordinate officials—Constructive notice—What included in the term—Lapse of time—What is reasonable or unreasonable—Rural municipalities—Hidden or latent defects—Duty to inspect—Degree of inspection—Officials passing over defect without noticing it—Notoriety of the defect—General dilapidation—Ice or snow—How far corporation can be said to have knowledge of—Authorities.

CHAPTER XII.

NOTICE OF THE ACCIDENT. - § 245

Statutory provisions in Ontario—When notice is necessary to be given—When not necessary—General propositions—Authorities—Claim at common law—What is sufficient notice—History of the section—Object of the legislation—What the notice must contain—Error as to place—Error as to time—Substantial information—Whether the information must be in one notice—Whether it may be contained in two or more notices—Authorities—Service of the notice—On whom it must be served—Mailing—Time for serving or mailing—When want or insufficiency of notice may be excused—Provisions of the Workmen's Act compared—Decision of trial judge subject to review—What is a reasonable excuse—Instances where excuse held insufficient—Authorities—Illustrations of sufficient excuse—Authorities—Municipal knowledge of the accident—How far it affords excuse—Total disability on part of plaintiff—Partial disability—"Prejudiced in their defence," meaning of—Summary of the law on question of notice—Statutory provision in Manitoba—Difference between it and Ontario statute—Decisions in Manitoba—Construction of the statute—What is sufficient in form and service in Manitoba.