

The
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TORONTO, APRIL 28, 1916.

No. 7

APPELLATE DIVISION.

FIRST DIVISIONAL COURT.

APRIL 17TH, 1916.

BRADISH v. CITY OF LONDON.

Highway—Nonrepair—Injury to Traveller—Notice to City Corporation—Contributory Negligence—Evidence—Findings of Fact of Trial Judge—Appeal.

Appeal by the defendants from the judgment of FALCONBRIDGE, C.J.K.B., 9 O.W.N. 296.

The appeal was heard by GARROW, MACLAREN, MAGEE, and HODGINS, J.J.A.

T. G. Meredith, K.C., for the appellants.

W. R. Meredith, for the plaintiff, respondent.

THE COURT dismissed the appeal with costs.

FIRST DIVISIONAL COURT.

APRIL 19TH, 1916.

*SMITH v. DARLING.

Limitation of Actions — Mortgage—Action for Redemption—Infant—Disability — Limitations Act, R.S.O. 1914 ch. 75, sec. 40—Application of—Action for Recovery of Land—Costs.

Appeal by the defendant Darling from the judgment of LENNOX, J., 9 O.W.N. 385.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, and HODGINS, J.A.

J. D. Falconbridge and J. A. Jackson, for the appellant.

A. B. Cunningham, for the plaintiff, respondent.

J. L. Whiting, K.C., for the defendants the Toners, respondents.

MEREDITH, C.J.O., read the judgment of the Court. He said, after stating the facts, that the appellant set up the Limi-

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