tion of the city council granting an application for such connection on terms which were complied with and the connection made was a sufficient compliance with said by-law.

Appeal dismissed with costs.

McCarthy, Q. C., & Fraser, for appellant.
Gibbons, Q. C., & Cameron, for respondent.

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6 May, 1895.

Ontario.]

TORONTO RY. CO. v. CITY OF TORONTO.

Negligence—Obstruction of street—Accumulation of snow—Question of fact—Finding of jury.

An action was brought against the city of Toronto to recover damages for injuries incurred by reason of snow having been piled on the side of the streets, and the Street Railway Company was brought in as third party. The evidence was that the snow from the railway tracks was piled upon the roadway, and that from the sidewalks was placed there also. The jury found that the disrepair of the street was the act of the Railway Company which was therefore made liable over to the city for the damages assessed. The company contended on appeal that the verdict was perverse and contrary to evidence.

Held, affirming the decision of the Court of Appeal, that under the evidence given of the manner in which the snow from the track had been placed on the roadway immediately adjoining, the jury might reasonably be of opinion that if it had not been so placed there, the accident would not have happened, and therefore the verdict was not perverse.

Appeal dismissed with costs.

Laidlaw, Q.C., & Bicknell, for appellant.
Fullerton, Q.C., for respondent.

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6 May, 1895.

Ontario.]

NORTHERN PACIFIC RY. CO. v. GRANT.

Railway Company—Carriage of goods—Carriage over connecting lines—Contract for—Authority of agent.

E., in British Columbia, being about to purchase goods from G. in Ontario, signed, on request of the freight agent of the North-