

The
Ontario Weekly Notes

VOL. XII.

TORONTO, MAY 18, 1917.

No. 9

APPELLATE DIVISION.

SECOND DIVISIONAL COURT.

MAY 8TH, 1917.

*FOSTER v. TOWNSHIP OF ST. JOSEPH.

Assessment and Taxes—Exemptions—Buildings on “Mineral Land”—Assessment Act, R.S.O. 1914 ch. 195, sec. 40 (4)—“Mineral”—Trap-rock—Quarry Workings—Question of Exemption Raised in Action—Remedy by Appeal from Assessment under sec. 83 of Act.

Appeal by the plaintiff from the judgment of LATCHFORD, J., ante 38.

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, LENNOX, and ROSE, JJ.

R. C. H. Cassels, for the appellant.

W. E. Raney, K.C., for the defendants, respondents.

THE COURT dismissed the appeal with costs.

SECOND DIVISIONAL COURT.

MAY 9TH, 1917.

ELLIS v. CITY OF TORONTO.

Highway—Nonrepair—Accumulation of Snow and Ice—Injury to Pedestrian by Fall—Evidence—Failure to Establish “Gross Negligence”—Municipal Act, R.S.O. 1914 ch. 192, sec. 460.

Appeal by the plaintiff from the judgment of KELLY, J., ante 128.

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