

Their Lordships are, therefore, of opinion, that the case against the "Mount Stephen" also fails. They have come accordingly to the conclusion that the effect of the "Kinmount's" screw in causing the abnormal current was an unforeseen and fortuitous circumstance; that the accident was in the circumstances unavoidable, and that neither blame nor responsibility can be thrown on anyone, from which it follows that the loss must be borne where it fell.

There Lordships will, therefore, advise His Majesty that the appeal of the "Mount Stephen" ought to be allowed and the action dismissed with costs in all Courts, and the appeal of the Meaford Elevator Company dismissed. The Meaford Elevator Company will pay the costs of the appeals.

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