

Le mari de la demanderesse travaillait pour la défenderesse. Il transportait avec un diable (truck) des balles de papier. Le véhicule glissa sur une pente et entraîna dans sa chute le mari de la demanderesse. Ce dernier s'affaissa subitement et mourut quelque temps après à l'hôpital.

Sa veuve réclame \$2,025 pour elle et ses enfants, en vertu de la loi des accidents du travail.

La défenderesse admet les faits, mais elle soutient que la demanderesse n'a aucun recours contre elle, parce que la mort de son mari n'a pas été causée par un accident à l'occasion de son travail, mais est due à des maladies naturelles.

La Cour a rejeté l'action par les motifs suivants:

"Considering that it is established that the deceased, Trefflé Bougie, died from what is known as "Spontaneous hemorrhage of the brain", and it is further proved that the said Trefflé Bougie was suffering from an enlargement of the heart, and from chronic affection of the kidneys;

"Considering that on the 9th day of January 1916, some time between eleven and twelve o'clock in the morning, the said Trefflé Bougie while at his ordinary work in the defendant's establishment, which work he had performed for a period of a least six months, suddenly physically collapsed and became almost immediately helpless and almost unconscious and was taken to the Royal Victoria Hospital in the ambulance where he died the same day;

"Considering there is no proof that the said Bougie met with any accident, or received any blow or shock, as alleged in plaintiff's declaration, or did anything, or was told to do anything different from what he had done for months pasts;

"Considering that the death of the said Bougie was not due to an accident;