

The Ontario Weekly Notes

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APPELLATE DIVISION.

SEPTEMBER 29TH, 1914.

GUARDIAN TRUST CO. v. DOMINION CONSTRUCTION CO.

Master and Servant—Death of Servant—Action by Administrator under Fatal Accidents Act—Negligence—Railway—Deceased Walking on Tracks Struck by Train—Findings of Jury—Nonsuit—Appeal.

Appeal by the plaintiff company from the judgment of BRITTON, J., 6 O.W.N. 406, dismissing the action.

The appeal was heard by MULOCK, C.J.Ex., CLUTE, RIDDELL, and SUTHERLAND, JJ.

Christopher C. Robinson, for the appellant company.

R. McKay, K.C., for the defendant company, respondent.

THE COURT allowed the appeal with costs, and directed that judgment should be entered for the plaintiff company, upon the findings of the jury, for \$1,000 damages, with costs.

HIGH COURT DIVISION.

MIDDLETON, J., IN CHAMBERS.

JANUARY 4TH, 1915.

HARRIS v. WOOD.

Partnership—Death of Partner—Action by Surviving Partner in Name of Firm—Rule 100—Amendment of Style of Cause—Land Conveyed to Partnership—Title—Joint Tenancy—Conveyancing and Law of Property Act, R.S.O. 1914 ch. 109, sec. 13—Land Vesting in Surviving Partner—Action for Possession—Right to Redeem—Ability of Surviving Partner to Reconvey.