

no evidence that defendants had any better means of knowing of the danger than plaintiff. As to all the matters in respect of which plaintiff can seek here to charge defendants, the onus is on him: cases above cited and *Allen v. New Gas Co.*, 1 Ex. D. 251. The secretary had no authority to make admissions on behalf of the company as to the defective condition of the scaffolding, and defendants' knowledge of it: *Bruff v. Great Northern R. W. Co.*, 1 F. & F. 344; *Great Western R. W. Co. v. Willis*, 18 C. B. N. S. 748; *Barrett v. South London Tramways Co.*, 18 Q. B. D. 815; *Johnson v. Lindsay*, 53 J. P. 599; *Newlands v. National Employers' Accident Association*, 53 L. T. N. S. 242.

Motion dismissed with costs.

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