

There will be recovery for the loss within the year. The action fails as to the loss in 1911. The amount, I understand, of the loss in 1913 has been adjusted. The plaintiff will have the general costs, but must pay the costs of the issue on which he has failed.

BRITTON, J.

JUNE 5TH, 1914.

RENZONI v. CITY OF SAULT STE. MARIE.

*Negligence—Explosives Left Lying in Street and Found by Child—Injury to Child—Action for Damages—Evidence—Failure to Connect Defendants with Negligent Act.*

Action against the city corporation and McNamara & Son for damages for personal injuries sustained by the plaintiff by reason, as alleged, of the negligence of the defendants or one of them.

The action was tried without a jury at Sault Ste. Marie.

U. McFadden and McMillan, for the plaintiff.

J. L. O'Flynn, for the defendant corporation.

J. A. McPhail, for the defendants McNamara & Son.

BRITTON, J..—The plaintiff, Arthur Renzoni, a boy of about 7 years of age, residing at Sault Ste. Marie, alleges that on or about the 16th November, 1913, he was walking in Allen street, in that city, when he saw a man—whose name the boy did not know—place a small box upon a stone or upon something in the street. The plaintiff took the box to his home; it contained about a dozen or more dynamite caps or detonators such as are generally used for firing blasts in blasting rock. The plaintiff did not know to the full extent the dangerous character of these caps; but I am of opinion that he knew well that he should not have taken them, and that they were explosive. It is not certain how long the plaintiff kept these caps. He was living with his sister and brother, and they moved from where they resided at the time of the alleged finding, to Cathcart street, and, during the time from the finding until the accident, the plaintiff carried about with him in his pocket these caps. Pasquel Renzoni, the brother, and the next friend in this action, had heard of the