

In *The Greta Holme Case* Lord Halsbury at p. 601, says: "It is a sufficiently familiar head of damages between individuals that if one person injures the property of another, damages may be recovered, not only for the amount which it may be necessary to spend in repairs, but also for the loss of the use of the article injured during the period that the repairing may occupy."

In *The Argentino Case*, where damages were claimed for injury happening to a vessel in a collision, Lord Herschell (at p. 523), says: "I think that damages which flow directly and naturally, or in the ordinary course of things, from the wrongful act, cannot be regarded as too remote. The loss of the use of a vessel and of the earnings which would ordinarily be derived from its use during the time it is under repair, and therefore not available for trading purposes, is certainly damage which directly and naturally flows from a collision."

Here it is shewn that the truck which was damaged was in daily use by the plaintiffs in their business; that to supply its place and do its work during the time the repairs were being made thereto, it was necessary for plaintiffs to hire teams at a cost per day, in excess of what would have been the cost of operating the truck, of \$8.94, and this charge they make for 82 days, from June 22nd, the date of the accident, until October 1st, when the truck was returned to them repaired.

While admitting the plaintiffs' right to recover for such loss the amount claimed—or rather the time for which the claim is made—is excessive. The evidence shews that the repairs necessitated by the accident could have been made in from two to three weeks.

On July 11th, an estimate of the costs of the repairs was furnished to the plaintiffs by the parties who made them, but it was not until August 10th, that plaintiffs gave instructions for the repairs to be proceeded with. Making an allowance of a reasonable time for delivery of truck to the company for repair and for arranging about the repairs, and for the time necessary to make the same, and a further reasonable time for delivery to the plaintiffs at Hamilton when repaired, I think 33 working days is a reasonable estimate of the time for which plaintiffs were deprived of the use of the truck owing to the damage which it had sustained