

THE
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RIDDELL, J.

DECEMBER 16TH, 1907.

TRIAL.

CANADIAN PACIFIC R. W. CO. v. FALLS POWER CO.

Injunction—Electric Poles and Wires—Placing in Public Highway of Town—Dangerous Proximity to Poles and Wires already in Position—Leakage of Current—Commercial Necessity—Approval of Town Council—Power and Authority—Statutes—Interference with Property of other Electric Companies.

Action for an injunction to restrain the defendants from erecting and maintaining poles and stringing and maintaining wires along the east side of Hellems avenue, in the town of Welland. See ante 983. The Bell Telephone Co. were added at the trial as plaintiffs.

E. D. Armour, K.C., and Angus MacMurchy, for the original plaintiffs.

E. H. Ambrose, Hamilton, for the Bell Telephone Co.

W. E. Middleton, for defendants.

RIDDELL, J.:—This case furnishes an example of the speed with which a case may be disposed of if the parties really desire it and if there are no difficult facts requiring prolonged inquiry. The questions for decision arose about two weeks ago in the town of Welland.