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## LIABILITY FOR INJURIES CAUSED BY DEFECTS IN PREMISES.

In a recent decision in Ontario, *King v. Northern Navigation Co.*, 24 O.L.R. 643, the liability of an owner of property to persons who are injured owing to defects in the premises is again discussed. In the result the court followed the principle affirmed by the Judicial Committee of the Privy Council in *Grand Trunk Ry. Co. v. Barnett* (1911), A.C. 361, and held that the case was not governed by the earlier decision of the House of Lords in *Lowery v. Walker* (1911), A.C. 10. In the case referred to, *King v. Northern Navigation Co.*, 24 O.L.R. 643, the plaintiff claimed to recover under the Workmen's Compensation for Injuries Act (query, the Fatal Accidents Act) for the death of her husband, which was occasioned by his falling into an unprotected hatchway on the defendants' vessel. It appeared that the defendants were owners of three vessels the "Huronie," "Ionic," and "Saronie" which were moored alongside of each other at a wharf, and in order to get to the Ionic it was necessary to pass over the other two vessels. The plaintiffs' husband had been employed on the Ionic, but had been paid off in February. In March he left his home at 9 a.m., and was found dead next day, lying at the bottom of the hatchway on the Huronie. No one saw him fall, as far as the report of the case shews, and there was no evidence as to how, or on what business, if any, he came there. The jury do not appear to have been asked to find on the question of whether or not the deceased was a trespasser, but they found the defendants guilty of negligence in leaving the hatchway uncovered. Clute, J., who tried the action gave judgment for the plaintiff for the damages assessed by the jury; but the Divisional Court found as a fact that the plain-