

motion below, including Mr. Currie's fees to date, this appeal is dismissed.

If the civic authorities require any changes from the said plans and report, and both parties assent to such changes, they may be carried out; but, if either party objects to any such changes, such objecting party may bring the question of such changes before this Court. The defendant, within one week, to file an undertaking to comply with the above-mentioned terms; otherwise this appeal is allowed with costs here and below.

FEBRUARY 20TH, 1914.

MILLER v. COUNTY OF WENTWORTH.

*Highway—Nonrepair—Insufficiency of Guard-rail at Curve of Road—Dangerous Hill—Negligence of Municipal Corporation—Motor Vehicle—Injury and Death of Occupants—Knowledge of Danger—Taking Risk—Negligence of Persons Killed and Injured—Findings of Trial Judge—Dismissal of Action—Appeal.*

Appeals by the plaintiffs in two actions from the judgment of MIDDLETON, J., ante 317.

The appeals were heard by MULLOCK, C.J. Ex., RIDDELL, SUTHERLAND, and LEITCH, JJ.

W. S. McBrayne, for the plaintiffs.

J. L. Counsell, for the defendants.

THE COURT dismissed the appeals without costs.