

The
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TORONTO, MAY 19, 1916.

No. 10

APPELLATE DIVISION.

SECOND DIVISIONAL COURT.

MAY 9TH, 1916.

HOOK v. WYLIE.

Motor Vehicles Act—Injury to Child by Motor Vehicle on City Highway—Negligence—Onus—Evidence—R.S.O. 1914 ch. 207, sec. 23—Findings of Fact of Trial Judge—Appeal—Damages.

Appeal by the defendant from the judgment of LATCHFORD, J., ante 15.

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, LENNOX, and MASTEN, JJ.

W. H. Irving, for the appellant.

A. A. Macdonald, for the plaintiffs, respondents.

THE COURT dismissed the appeal with costs.

SECOND DIVISIONAL COURT.

MAY 9TH, 1916.

BANK OF BRITISH NORTH AMERICA v. TURNER.

Summary Judgment—Rule 57—Action on Promissory Notes—Suggested Defences—Appeal from Order for Judgment—Direction for Trial of Question of Liability—Judgment to Stand Pending Trial.

Appeal by the defendant from the order of MIDDLETON, J., ante 196.

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, LENNOX, and MASTEN, JJ.

G. S. Hodgson, for the appellant.

L. Larratt Smith, for the plaintiffs, respondents.

THE COURT ordered that the defendant should be permitted to proceed to a speedy trial of the question of his liability; in the