moneys recovered in this action against Boisseau at the suit of Bleasdell. The acquisition of the judgment against Bleasdell was not intended to operate as a satisfaction of the attaching order; that remained outstanding for the protection of Boisseau as against the claim of Bleasdell in this action. The principle of Trust and Loan Co. v. Cuthbert, 14 Gr. 440, applied, even if the assignment of the judgment at the suit of the Accountant had been as to all the defendants. By setting off the judgments the Court gives effect to the attaching order as operative and does substantial justice as between plaintiff and defendant.

Appeal allowed and order of Master restored. The appellant to have his costs of the original application. No costs of the appeals.

BRITTON, J. OCTOBER 12TH, 1904.

TRIAL.

RANDALL v. OTTAWA ELECTRIC CO.

Negligence—Electricity—Use of Pole by Stranger—Liability—Findings of Jury—Cause of Action—Claim of Wife for Injury to Husband.

Action commenced on 25th May, 1902, and brought by Thomas E. Randall, by his next friend, and by Randall's wife, to recover damages for injuries sustained by Randall on 19th September, 1901. Randall was a linesman in the employ of defendants the Ottawa Electric Co., and was by that company sent to do some work on a pole in the city of Ottawa. In doing that work he accidentally came in contact with a live wire, was thrown to the ground, and was so seriously injured that he became insane. The action was brought against the electric company and Ahearn and Soper (Limited). At the first trial the action was dismissed as against the electric company, and the jury disagreed as to the other defendants. The case was taken to a Divisional Court, to the Court of Appeal, and to the Supreme Court of Canada (6 O. L. R. 619, 2 O. W. R. 146, 1022, 34 S. C. R. 698), with the result that a new trial was ordered as against defendants Ahearn and Soper. That trial took place at Ottawa on 22nd and 23rd September last. In answer to questions submitted the jury found that these defendants were quilty of negligence, which was the proximate cause of the injury to Randall, in leaving the tie wires uncovered and in not cutting off, close, the ends of these tie wires; and that he could not by the exercise of reasonable care have avoided the injury. Defendants Ahearn and Soper did not own the pole on which