the amount of a policy held by W. on the property so destroyed was joined as a plaintiff. At the trial, plaintiffs were non-suited in favor of both defendants, it being admitted that the fire was not caused by negligence, and the Divisional Court sustained such non-suit, holding also that the insurance company had no *locus standi*. On further appeal the Court of Appeal dismissed an appeal by the insurance company and by the plaintiff as against the C. S. Ry. Co., but allowed the plaintiff's appeal as against the Michigan Central, holding that the C. S. Ry. Co. had statutory authority to make traffic arrangements only with a foreign company, and could not give the tter running powers over its road. The Michigan Central then appealed to the Supreme Court. Held, reversing the decision of the Court of Appeal (21 Ont. App. R. 297), that under 25 V., c. 48, s. 9, an Act relating to the C. S. Ry. Co., and sec. 60 of the Railway Act of 1879, the C. S. Ry. Co. could lawfully lease its road to a foreign company, and the injury to W.'s property having occurred without any negligence on the part of the officers or servants of the Michigan Central, which was lawfully in possession of the road of the C. S. Ry. Co. under said agreement, the Michigan Central was not liable for such injury. Appeal allowed with costs.

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TOWN OF CORNWALL v. Deroche.—Municipal Corporation.—Negligence.—Repair of street.—Accumulation of ice.—Defective sidewalk. D. brought an action for damages against the Corporation of the Town of C., for injuries sustained by falling on a sidewalk where ice had formed and been allowed to remain for a length of time. Held, Gwynne, J., dissenting, that as the evidence at the trial of the action showed that the sidewalk, either from improper construction or from age and long use, had sunk down so as to allow water to accumulate upon it, whereby the ice causing the accident was formed, the corporation was liable. Held, per Taschereau, J.—Allowing the ice to form and remain on the street was a breach of the statutory duty to keep the streets in repair, for which the corporation was liable. 21 Ont. App. R., 279, and 23 O. R., 355, affirmed. Appeal dismissed with costs.

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HEADFORD v. McClary Manufacturing Co.—Negligence.—Workman in factory.—Evidence.—Questions of fact.—Interference with, on appeal. W., a workman in a factory, to get to the room where he worked, had to pass through a narrow passage, and at a certain point to turn to the left while the passage was continued in a straight line to an elevator. In going to his work at an early hour one morning, he inadvertently walked straight along the passage and fell into the well of the elevator which was undergoing repairs. Workmen engaged in making such repairs were present at the time, with one of whom W. collided at the opening, but a bar that was usually placed across the front of the shaft was down. In an action against his employers in consequence of such accident, held, affirming the decision of the Court of Appeal, 1 Ont. App. R., 164, and of the Divisional Court. 23 O. R., 335, Strong, C. J., *hesitante*, that there was no evidence of negligence of the defendants to which the accident could be attributed, and W. was properly nonsuited at the trial. Held, per Strong, C.J., that though the case might properly have been left to the jury, as the judgment of non-suit was affirmed by two courts it should not be interfered with. Appeal dismissed with costs.