

SECOND DIVISIONAL COURT.

FEBRUARY 12TH, 1917.

NAIRN v. SANDWICH WINDSOR AND AMHERSTBURG RAILWAY.

Negligence—Street Railway—Injury to Automobile—Personal Injuries—Contributory Negligence—Ultimate Negligence—Findings of Jury—Damages—Costs—New Trial.

Appeal by the plaintiff and cross-appeal by the defendants from the judgment of SUTHERLAND, J., ante 91, in an action tried with a jury.

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

T. Mercer Morton, for the plaintiff.

M. K. Cowan, K.C., for the defendants.

THE COURT directed a new trial; costs to be costs in the cause.

SECOND DIVISIONAL COURT.

FEBRUARY 13TH, 1917.

*RE TOWN OF ALLISTON AND TOWN OF TRENTON.

Municipal Corporations—Bonus to Manufacturing Business—By-law—Motion by another Municipal Corporation to Quash—Injurious Affection—Municipal Act, R.S.O. 1914 ch. 192, sec. 285—"Business Established elsewhere in Ontario"—Sec. 396(c) of Act—Ownership of Business—Identity—Company—Practical Control.

Appeal by the Corporation of the Town of Trenton from the order of HODGINS, J.A., in the Weekly Court, ante 288.

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

I. F. Hellmuth, K.C., for the appellants.

W. A. J. Bell, K.C., for the respondents.

THE COURT dismissed the appeal with costs.

* This case and all others so marked to be reported in the Ontario Law Reports.