

DEPARTMENT OF TRANSPORT
INTRA-DEPARTMENTAL CORRESPONDENCE

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STG/IP

OTTAWA, Ontario, May 15th, 1951.
PLACE DATE

YOUR FILE

SUBJECT

Court Action Re Accident Involving
Aircraft CF-BGG

OUR FILE

5008-E7-7

5002-23902 (OP.C.)

5008-227

10817

MEMORANDUM FOR FILE

1. On May 14th, 1951, a court action between Mrs. Evelyn Vahey, plaintiff, and Mr. G.J. Quinlon, defendant, was heard in the Supreme Court of Ontario at Haileybury, Ontario.
2. Before the court sat Mr. Inch, Council for the Plaintiff and the writer discussed the evidence in detail and Mr. Inch decided that the first step would be to obtain a ruling from the court in respect to the employment of D.P. Vahey as outlined by the defendant. "The defendant claimed that Mr. Vahey, the holder of a Private Pilot's Licence, flew equipment in an aircraft owned by Temiskaming Airways to a camp owned by Mr. Quinlon in return for free flying time."
3. The ruling of the court was that Mr. Vahey was receiving reward, i.e. flying for which he would normally have to pay a sum of money in return for flying supplies to a camp operated by Mr. Quinlon.
4. Upon receiving this ruling the council for the plaintiff asked that the case be closed and this request was granted.
5. Mr. Inch advised the writer that since Mr. Vahey was employed by Mr. Quinlon, the matter would be taken up with the Workmen's Compensation Board, who he considered, would then be liable for compensation.

A. S. Grant
A. S. Grant,
Inspector, Air Regulations.

See 5003-9
for judgment.
THH
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