

1895

*Mar. 19, 20.

*May 6.

COLLIER v. WRIGHT.*Maritime law—Collision—Negligence—Rule of the road—Steamer.*

APPEAL from a decision of the Court of Appeal for Ontario, affirming the judgment for the plaintiff Wright at the trial.

*PRESENT:—Sir Henry Strong C.J., and Taschereau, Gwynne, Sedgewick and King JJ.

(1) 19 Ont. App. R. 298.

* The action was for damages incurred by a collision on the Bay of Quinté between plaintiff's schooner and a steamer belonging to defendant. In the marine protest by the captain of the schooner the cause of the action was alleged to be that the steamer's wheel was put to port when it should have been put to starboard just before the collision. The action was twice tried, the first trial having been set aside on the ground that the judge, by adopting the opinion of assessors, had delegated his judicial functions (1). The second trial resulted in a verdict for plaintiff which was affirmed by the Court of Appeal.

1895
COLLIER
v.
WRIGHT.
—

The Supreme Court affirmed the judgment of the Court of Appeal sustaining plaintiff's verdict.

Appeal dismissed with costs.

S. H. Blake Q.C. and *Holman* for the appellant.

Alcorn Q.C. for the respondent.
