
 TORONTO RAILWAY CO. v. BOND.

1895

Negligence—Street railway—Defective plant.

*May 14.

*May 15.

APPEAL from a decision of the Court of Appeal for Ontario, affirming the judgment of the Divisional Court in favour of the plaintiff Bond.

The plaintiff was a motorman in the employ of the defendant company and his action was brought under the Workman's Compensation Act to recover damages for injuries sustained while coupling together a street car and a trailer. The main ground of negligence charged was the absence of buffers to protect the official from injury in coupling. The plaintiff had a verdict at the trial which was affirmed by the Divisional Court and the Court of Appeal.

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

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The Supreme Court held that negligence on the part of the company in not having proper appliances to prevent injury was clearly proved and a new trial properly refused.

Appeal dismissed with costs.

Bicknell for the appellants.

McGregor for the respondent.
