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DOMINION OF CANADA

In the Supreme Court of Canada

OTTAWA

(On appeal from Judgments of the Exchequer Court of Canada rendered by the Honourable Mr. Justice Angers on November 3rd, November 6th, November 20th, November 4th, November 12th and November 13th, 1948, respectively.)

BETWEEN:—

HIS MAJESTY THE KING,

(Respondent in the Exchequer Court),
APPELLANT,

— and —

CANADA STEAMSHIP LINES LIMITED,

(Suppliant in the Exchequer Court),
RESPONDENT,

HIS MAJESTY THE KING,

(Respondent in the Exchequer Court),
APPELLANT,

— and —

**H. J. HEINZ COMPANY OF CANADA LIMITED,
CUNNINGHAM & WELLS, LIMITED,
RAYMOND COPPING,
W. H. TAYLOR, LIMITED,
CANADA AND DOMINION SUGAR COMPANY, LIMITED,**

(Suppliants in the Exchequer Court),
RESPONDENTS,

— and —

CANADA STEAMSHIP LINES LIMITED,

(Third Party in the Exchequer Court),
THIRD PARTY RESPONDENT.

**FACTUM OF W. H. TAYLOR LIMITED
RESPONDENT**

BUMBRAY & CARROLL,
Solicitors for W. H. Taylor Ltd.

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(Respondent in the Exchequer Court),
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RESPONDENT

The Respondent, W. H. Taylor Limited, humbly submits:

By its Petition of Right, the Respondent claims \$7,832.75 as damages to its property resulting from fire in the St. Gabriel Freight Shed No. 1 at 1400 Ottawa Street, Montreal, Que., owned by the King, Appellant, on May 5, 1944 at about 3.14 p.m.

10 The parties on March 10, 1947 entered an admission into the record that the damages to Respondent amounted to \$3,670.25.

The facts and law are as stated in the judgments rendered by the Hon. Mr. Justice Angers of the Exchequer Court on November 12, 1948, reproduced in the Joint Case at pages 270a and 304a, in which he condemned Appellant to pay Respondent \$3,670.25 and costs.

20 The lease and issues between the Appellant and the Canada Steamship Lines Limited, Respondent, are res inter alia acta in so far as the present Respondent is concerned.

Wherefore Respondent prays that the present appeal be dismissed with costs.

The whole respectfully submitted.

30 Bumbray & Carroll,
Attorneys for Respondent
W. H. Taylor Limited.

Montreal, January 15, 1950.

DOMINION OF CANADA
IN THE SUPREME COURT OF CANADA
(OTTAWA)

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(Suppliant in the Exchequer Court),
RESPONDENT,

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W. H. TAYLOR LIMITED
RESPONDENT

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