

## McLAUGHLIN v. DAVIDSON—KELLY, J.—MAY 21.

*Principal and Agent—Agent's Commission on Sale of Lumber—Action for—Sale Made, but not through Plaintiff's Efforts—Dismissal of Action—Costs.*—Action for a commission of \$1 per thousand feet upon the sale of a large quantity of lumber by the defendants to W. C. Edwards & Co. Limited, in September, 1918. The action was tried without a jury at Ottawa. KELLY, J., set out the facts in a written judgment, and found that the plaintiff had failed to establish his case. The plaintiff had authority from one of the defendants to make a sale within a limited time; but the sale to the Edwards company was not effected through his instrumentality. The action was dismissed, but without costs. T. A. Beament, for the plaintiff. W. D. Hogg, K.C., for the defendants.