

month I demanded payment from B., but he refused to pay me. I can I compel him to do so?—J. A. K.

A.—1. Yes. The stack became his property and was at his risk, immediately on the completion of the sale. Nothing being said about the risk, it would be with the person who owned the stack.

A PIG SALE

Q.—A. sold me 50 pigs at 50 much apiece. He stated to me at the time I agreed to buy them that he was of the opinion that the pigs would each weigh up to a certain standard. As a matter of fact I can prove that he had had the pigs weighed the night before, and they were found to weigh considerably less than the weight which he stated to me that he thought they would reach. The pigs, on being weighed by me were a great deal below that weight. 1. Can I recover back the money which I have paid A., on my returning the pigs to him; or, 2. Can I keep the pigs and recover back the difference between the price I paid and what the pigs are actually worth?—D. B. E.

A.—1. Yes, you may return the pigs if they are in the same condition as to number, etc., as when you got them, and recover the price paid. The above statement by A. was a fraud on his part since he knew when he made it that it was false. 2. Yes, you could recover the difference in price as damages for his fraud. This latter would probably be your best course.

JAMES D. ALLAN

President Canadian Correspondence College, Toronto, Ont.

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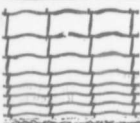
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