

RASOH V. HECKLER—DIVISIONAL COURT—DEC. 20.

Principal and Agent—Husband and Wife—Mining Claims.—Appeal by the defendants from the judgment of MACMAHON, J., 14 O. W. R. 441, in favour of the plaintiff for the recovery of \$212.50 in an action for remuneration for services rendered to the defendants in discovering two mining claims and for the fees paid for recording the same. MACMAHON, J., held that both the defendants, husband and wife, were liable, it being assumed that the husband had authority to act for the wife. The Court (FALCONBRIDGE, C.J.K.B., BRITTON and SUTHERLAND, JJ.) held that the wife was not liable merely because the husband directed the plaintiff to record in her name, and there was no evidence of agency. With a declaration that the wife holds the claims as trustee for the husband, her appeal was allowed and the action dismissed as against her without costs. Appeal of the husband dismissed without costs. A. McLean Macdonell, K.C., for the defendants. E. Meek, K.C., for the plaintiff.

MCCALL V. KANE & Co.—DIVISIONAL COURT—DEC. 21.

Particulars.—The orders of the Master in Chambers, ante 95, and of RIDDELL, J., ante 151, were affirmed by a Divisional Court composed of MEREDITH, C.J.C.P., TEETZEL and SUTHERLAND, JJ. W. Laidlaw, K.C., for the defendants. W. E. Middleton, K.C., for the plaintiff.

GOODALL V. CLARKE—DIVISIONAL COURT—DEC. 22.

Contract—Shares.—An appeal by the defendant from the judgment of RIDDELL, J., ante 95, was dismissed by a Divisional Court composed of MEREDITH, C.J.C.P., TEETZEL and SUTHERLAND, JJ. G. H. Watson, K.C., and W. R. Wadsworth, for the defendant. H. Cassels, K.C., for the plaintiff.