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APPELLATE DIVISION.

JULY 2ND, 1913.

RE MODERN HOUSE MANUFACTURING CO.

DOUGHERTY AND GOUDY'S CASE.

Company—Winding-up—Contributories—Contract with Company to Take Payment for Land in Company-shares—Allotment of Shares—Vendors Acting as Shareholders—Failure to Transfer Land—Breach of Contract—Remedy in Damages.

Appeal by the liquidator of the company from the decision of MIDDLETON, J., 28 O.L.R. 237, ante 861.

The appeal was heard by MEREDITH, C.J.O., MACLAREN, MAGEE, and HODGINS, J.J.A.

G. F. Shepley, K.C., for the appellant.

W. M. Douglas, K.C., and S. W. McKeown, for the respondents.

THE COURT, being equally divided in opinion, dismissed the appeal with costs.