

BENNETT V. PEARCE—SUTHERLAND, J.—APRIL 10.

*Partnership—Profits—Account.*] — Action by Joseph Bennett against Arthur Pearce to have it declared that a partnership existed between the parties from May, 1914, until the end of 1914; for a winding-up of the affairs and business of the partnership; and for an injunction restraining the defendant from disposing of the partnership assets. The action was tried without a jury at Toronto. The learned Judge, in a written opinion of some length, reviews the evidence and makes findings of fact. He finds that a partnership existed from the 24th May, 1914, down to the 31st December, 1914, and that the plaintiff is entitled to one-half of the profits of the partnership, less such sums as have been paid on account. Judgment declaring accordingly, with a reference to take the account, unless the parties agree upon the amount. Judgment not to issue for one week, and, if the parties agree, the amount is to be inserted in the judgment. The plaintiff to have his costs of the action. J. T. White, for the plaintiff. R. B. Henderson, for the defendant.