

In the Supreme Court of British Columbia.

BETWEEN

WILLIAM BUTLER ADAIR,

PLAINTIFF, RESPONDENT.

AND

ANDREW WELCH and ROBERT PATERSON RITHET, carrying on business as Welch, Rithet and Company, and JOHN ADAIR, Junior, lately carrying on business as Adair and Company, on Fraser River, and JOSEPH DESPARD PEMBERTON.

DEFENDANTS, APPELLANTS, 10

(By original action.)

AND BETWEEN

The said ANDREW WELCH and ROBERT PATERSON RITHET,

PLAINTIFFS, APPELLANTS,

AND

The said WILLIAM BUTLER ADAIR,

DEFENDANT, RESPONDENT.

(By Counter Claim.)

This is an appeal by the defendants, Andrew Welch and Robert Paterson Rithet, to the Full Court from a Judgment of the Honorable the Chief Justice, pronounced the 1st day of December, 1886 in favor of the Plaintiff. 20

STATEMENT.

The writ of Summons in this action was issued on the 30th September, 1884, and is endorsed as follows:—

“The Plaintiff’s claim is for an account to be taken of all transactions between the said Welch, Rithet and Company, and Adair and Company, of Fraser River, fish cannery, between the year 1881 and 1884. For an injunction to restrain the said Welch, Rithet and Company, from carrying out a sale of lots 54, 55, 56, 57, Group II., New West. 30
minster District, advertised to take place on Saturday October 4th, 1884, under the power of Sale in an alleged Mortgage made by the Plaintiff in favor of the said Welch, Rithet and Company, and dated 2nd of March, 1882, until the aforesaid accounts have been taken by this Honourable Court, and for such further or other relief as the nature of the case may require.”