

SECOND DIVISIONAL COURT.

JANUARY 17TH, 1919.

STERLING BANK OF CANADA v. THORNE.

Bills of Exchange—Acceptances—Renewal of Earlier Instruments—Agreement—Sale of Patent Rights—Bills of Exchange Act, secs. 14, 131, 145—Bills not Addressed to one of the Acceptors—Change in Address—Discount of Bills by Drawers—Adoption of Change—Bank—Holder in Due Course—Evidence—Ratification—Estoppel—Altered Bill—Title of Bank—Suspicion—Inquiry.

Appeal by the defendants Mills and Kilpatrick from the judgment of MIDDLETON, J., ante 39.

The appeal was heard by RIDDELL and LATCHFORD, JJ., FERGUSON, J.A., and ROSE, J.

Gideon Grant, for the appellants.

Casey Wood, for the plaintiffs, respondents.

THE COURT dismissed the appeal with costs.

HIGH COURT DIVISION.

LATCHFORD, J.

JANUARY 13TH, 1919.

SPEARMAN v. RENFREW MOLYBDENUM MINES
LIMITED.

Master and Servant—Claim by Engineer against Mining Company for Arrears of Salary—Evidence—Disputed Questions of Fact—Credibility of Witnesses—Account—Counterclaim—Patents for Inventions—Partnership in—Declaration—Half Interest—Reference—Costs.

The plaintiff, an engineer, employed as such by the defendants, a company operating a molybdenite mine, sued for \$6,787.50 for arrears of salary, for \$1,469.53 for moving expenses and rent, and for \$10,000 damages for wrongful dismissal. (The claim for wrongful dismissal was abandoned at the trial.)

The defendants denied any indebtedness, made charges of misconduct against the plaintiff, and counterclaimed for \$1,105.74, alleged to be owing by the plaintiff for board and expenses of himself, his wife and family, and other disbursements made by the