

The account regarding the missing goods so far as it can be taken, is as follows:—

List of missing articles .....		\$1,168.75
China case returned .....	\$ 100.00	
2 chairs paid for .....	25.00	
Brussels carpet (sold in lot) .....	30.00	
Wolf skin robe .....	25.00	
Packing cases disallowed .....	75.00	255.00
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		\$ 913.75
To be paid for		
Typewriter stand yost .....	\$ 6.25	
Fitted luncheon basket .....	5.00	
Pair garden shears .....	7.50	
Brass syringe .....	7.50	26.25
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Balance still to be investigated .....		\$ 887.50
The full claim of the railway company is .....	\$1,657.79	
on which has been paid .....	1,505.63	
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Leaving due the railway company .....	\$ 152.16,	for which they should have judgment.

I think the proper disposition of this troublesome matter would be to give the respondent judgment for the \$50.97 to be paid to her now, and direct a new trial limited to the items in the list of missing articles totalling \$887.50, the evidence already taken to be read at the new trial with the right to all parties to give additional evidence as they may be advised; the respondent to have, if she desires it, a commission to examine witnesses in England in which all parties may join. The costs of the former trial, including the third party costs, to be reserved to be dealt with at the new trial, and the railway company to await the result thereof before being entitled to enforce their judgment for \$152.16. Upon that trial all questions between the railway company and the third parties are to be open. One set of costs of this appeal, excepting therefrom the costs of the earlier argument upon which judgment was given of the 4th December, 1913, to be to the appellants in any event of the action when finally disposed of. The judgment to be now entered should be considered as disposing of the questions of law already decided, as well as the question of fact now dealt with, so that any appeal may include both. If the respondent does not elect within one month to take a new trial, judgment is to be entered for her for \$50.97 with the general costs of the action and for the railway company for \$152.16, with costs of this appeal as above mentioned, to be set off *pro tanto*, against the respondent's judgment. There should also then be judgment against the third parties for