

The Ontario Weekly Notes

Vol. V.

TORONTO, OCTOBER 31, 1913.

No. 6

APPELLATE DIVISION.

OCTOBER 21ST, 1913.

GIBSON v. CARTER.

Contract—Principal and Agent—Agent's Commission—Breach of Contract—Damages—Report of Referee—Appeal—Judgment—Costs.

Appeal by the defendants from the order of KELLY, J., 4 O.W.N. 1565.

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

R. S. Robertson, for the defendants.

Glyn Osler, for the plaintiffs.

THE COURT varied the order by reducing the amount found due by \$75; in all other respects affirming the order. No costs of appeal.

OCTOBER 22ND, 1913.

*RE McLEOD AND ARMSTRONG.

Mines and Minerals—Recording of Mining Claim—Discovery of Minerals—Staking—Affidavit Stating Matters not Known to Deponent but afterwards Shewn to be True—Inadmissibility—Necessity for Personal Knowledge—Unsurveyed Lands—Mining Act of Ontario, 8 Edw. VII. ch. 21, secs. 22(2), 35, 49-56, 63—Licensee.

Appeal by F. A. Armstrong from the judgment of the Mining Commissioner of the 24th April, 1913, dismissing the appeal.

*To be reported in the Ontario Law Reports.