

SECOND DIVISIONAL COURT.

OCTOBER 27TH, 1919.

LOUBRIE v. GRAHAM.

Principal and Agent—Agent's Commission on Sale of Goods—Action for—Evidence—Failure to Establish Claim—Findings of Trial Judge—Appeal.

Appeal by the plaintiff from the judgment of KELLY, J., ante 40.

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, LATCHFORD, and MIDDLETON, JJ.

E. G. Long, for the appellant.

M. Wright, for the defendants, respondents.

THE COURT dismissed the appeal with costs.

SECOND DIVISIONAL COURT.

OCTOBER 29TH, 1919.

BOOTH v. PROVINCIAL MOTORS LIVERY.

Contract—Share or Interest in Business—Written Agreement not Executed—Oral Evidence—Corroboration—Account—Finding of Fact of Trial Judge—Appeal—New Trial.

Appeal by the defendants the Provincial Motors Livery and Allen from the judgment of FALCONBRIDGE, C.J.K.B., 15 O.W.N. 403.

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, LATCHFORD, and MIDDLETON, JJ.

I. F. Hellmuth, K.C., and W. T. J. Lee, for the appellants.

S. H. Bradford, K.C., and B. N. Davis, for the plaintiff, respondent.

THE COURT directed a new trial; costs throughout to be in the discretion of the Judge at the new trial.