the accounting was taken, should be charged at the rate of 70 cents on the dollar; that, with respect to the balance of the estate, the accounting be continued up to the date of taking such further accounting, and that the defendant be permitted to transfer to the proper persons entitled thereto the stock-in-trade and fixtures of the Prince Albert store, and the bank accounts and bills receivable belonging to the estate uncollected; that the defendant be allowed for the shortage in the Northern Crown Bank at Prince Albert in the sum of $572.72, and the cash shortage in the till of $937.15; and, if the defendant prefers, he may take over the stock-in-trade and fixtures of the Prince Albert store, as of the date at which the accounting has already been taken, at 70 cents on the dollar, and the accounts and bills receivable uncollected, if he so desires, at 50 cents on the dollar.

Appeal allowed; cross-appeal dismissed.

McCABE v. CURTIS.

Saskatchewan Court of Appeal, Haultain, C.J.S., Newlands, Lamont and Elwood, JJ.A. July 12, 1919.

SEDUCTION (§ I—3)—*Questions tending to impeach credit of seducer—Evidence—Credibility—Proper admission.*]—Appeal from the trial judgment in an action for damages for seduction of plaintiff's daughter. Affirmed by equally divided Court.

J. N. Fish, K.C., and *G. A. Ferguson*, for appellant; *W. F. Cameron*, for respondent.

HAULTAIN, C.J.S., concurs with Lamont, J.A.

NEWLANDS, J.A.:—The facts in this case are stated in my brother Elwood's opinion: I will therefore not repeat them. On a question of fact, upon disputed evidence, I am reluctant to interfere with the findings of the trial Judge. However, I am of the opinion that the evidence that the defendant had connection with his wife before marriage was improperly admitted and should not have influenced the trial Judge in coming to a decision, as he says it did. If this evidence had not been admitted, the fact that the defendant was at the time courting his wife, who lived in the same house as the plaintiff and was at the time of the alleged seduction in the vicinity, would have led to the conclusion, that it was not probable that he seduced the plaintiff's daughter at the