

The
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No. 8.

APPELLATE DIVISION.

OCTOBER 19TH, 1915.

BRADEN v. VARLOW FOUNDRIES LIMITED.

Contract—Construction—Scope of Sub-contract for Ventilating and Heating of Building—Temporary Heating during Progress of Work—Breach of Contract—Damages.

Appeal by the plaintiff from the judgment of SUTHERLAND, J., 8 O.W.N. 575.

The appeal was heard by FALCONBRIDGE, C.J.K.B., RIDDELL, LATCHFORD, and KELLY, JJ.

G. F. Henderson, K.C., for the appellant.

R. McKay, K.C., for the defendants, respondents.

THE COURT dismissed the appeal with costs.

OCTOBER 20TH, 1915.

RUSHWORTH v. JOHNSTON.

Principal and Agent—Agent's Commission on Sale of Property — Employment of Agent — Description of Property — Amended Description—Failure to Sell according to.

Appeal by the plaintiff from the judgment of MEREDITH, C.J. C.P., at the trial, dismissing without costs an action for commission or remuneration for the plaintiff's services in selling or endeavouring to sell a pulpwood property for the defendant.

The appeal was heard by FALCONBRIDGE, C.J.K.B., RIDDELL, LATCHFORD, and KELLY, JJ.

J. B. Clarke, K.C., for the appellant.

J. W. Mitchell, for the defendant, respondent.