

formance of an agreement to purchase certain lands. The appeal was heard by FALCONBRIDGE, C.J.K.B., BRITTON and RIDDELL, JJ. The judgment of the Court was delivered by RIDDELL, J., who said that a careful perusal of the evidence failed entirely to shew any ratification by the defendant of the action of the solicitor; that he had any antecedent or implied authority is not apparent. . . . It is simply a case of solicitor and plaintiff taking a chance, and the chance turning out against them—the plaintiff is helpless. “The law of agency is very strict and often creates much hardship, but it is well settled and well understood.” Appeal dismissed with costs. FALCONBRIDGE, C.J.K.B., and BRITTON, J., concurred. G. F. Henderson, K.C., for the plaintiff. W. L. Scott, for the defendant.

RE WEST NISSOURI CONTINUATION SCHOOL—DIVISIONAL COURT—
DEC. 14.

Schools—Township Continuation School—Establishment of—Duty of School Board—Mandamus.]—Appeal by three trustees of the Continuation School from the judgment of MIDDLETON, J., 3 O.W.N. 1623. The appeal was heard by RIDDELL, LATCHFORD, and SUTHERLAND, JJ. The judgment of the Court was delivered by RIDDELL, J., who said that upon consideration of the whole case and after a most careful and exhaustive argument, the members of the Court were all of opinion that the appeal cannot succeed. Appeal dismissed with costs. G. S. Gibbons, for the trustees. E. C. Cattanaeh, and W. R. Meredith, for three applicants.

RE STRATFORD FUEL, ETC., CO. LTD.—RIDDELL, J., IN CHAMBERS.
DEC. 14.

Principal and Surety—Compromise of Action—Double Ranking—Appeal under R.S.C. ch. 144, sec. 101 (c).]—Motion by the claimants Coughlin and Irwin, for leave to appeal to the Court of Appeal, from the judgment of MIDDLETON, J., ante 414. RIDDELL, J.:—“I am asked to allow an appeal to the Court of Appeal under R.S.C. ch. 144, sec. 101 (c), from a judgment of Mr. Justice MIDDLETON, of December 4th, 1912. There is no such stringent rule laid down for such a motion as this, as in the new Con. Rule 770 (1278); and I think the creditor should be allowed to substantiate his claim in the Court of Appeal if he can. The