

JUNE 18TH, 1912.

## NORTHERN SULPHITE MILLS LIMITED v. CRAIG.

*Principal and Agent—Purchase of Bonds by Agent—Dispute as to Ownership—Evidence — Purchase for Principal — Agent's Lien for Part of Purchase-money Paid—Companies —Transactions between—Several Liens.*

Appeal by the defendants the Occidental Syndicate Limited from the judgment of MEREDITH, C.J.C.P., ante 214.

The appeal was heard by GARROW, MACLAREN, MEREDITH, and MAGEE, JJ.A., and LENNOX, J.

C. A. Masten, K.C., and H. W. Mickle, for the defendants.

I. F. Hellmuth, K.C., and J. H. Moss, K.C., for the plaintiffs.

The judgment of the Court was delivered by GARROW, J.A.:—The action was brought by the plaintiff E. R. C. Clarkson, as receiver of the Northern Sulphite Mills of Canada Limited, to recover from the defendants, John Craig and the Occidental Syndicate Limited, certain first mortgage bonds of the Imperial Land Company for \$500 each, alleged to be the property of the plaintiff company.

The questions involved, which are almost entirely questions of fact, seem to depend less upon contradictory evidence, of which there is very little, than upon the proper inferences to be drawn from certain of the facts appearing in evidence, which are not in themselves decisive or plainly pointing only in one direction. There were, it appears, several joint stock companies, some organised in England and some in Canada, all more or less related, namely, the defendant company, which was in some respects the parent company, the plaintiff company, the Imperial Land Company, and the Imperial Paper Mills Company. The three latter companies were engaged in certain undertakings at or near Sturgeon Falls, in this Province, which included the manufacture of pulp and paper, and, in the case of the land company, the sale of lands.

The defendant company acted at London, England, in financial matters for the other companies. Its board of directors consisted of Archibald Baird Craig, chairman and managing director, his brother, the defendant John Craig, and William Rich-