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HODGINS, MASTER IN ORDINARY.

MARCH 1ST, 1909.

MASTER'S OFFICE.

RE DISTRIBUTORS CO.

THURSTON'S CASE.

Company — Winding-up — Contributory — Subscription for Shares by Partnership Firm — Allotment — Notice—Evidence—Liability of Special Partner—Knowledge of Firm's Subscription.

Motion by the liquidator of the company, in winding-up proceedings, for a direction confirming the placing of the name of one Thurston on the list of contributories.

J. A. Macintosh, for the liquidator.

A. C. McMaster, for Thurston.

THE MASTER:—The contributory Thurston was a member of the partnership firm of George R. Meeker & Co., fruit importers and exporters, of New York, under partnership articles made 20th May, 1904, in which he was described as a special partner, but as such special partner was to "bear, pay, and discharge equally," between the general partners, "all rents and other expenses that may be required for the support and management of the business," and that all gains, profits, and increase that shall come, grow, or arise from or by means of their said business, shall be divided between them annually in equal proportions, after provision for distribution and reservation of profits;" and that "all loss that shall happen to their said joint business