

Reports and Notes of Cases.

Dominion of Canada.

SUPREME COURT OF CANADA.

Sask.] PEACOCK v. WILKINSON. [March 15.

Broker—"Real estate agent"—Sale of land—"Listing" on broker's books—Principal and agent—Authority to make contract.

Where the principal has merely instructed a broker to place lands on his list of properties for sale, such "listing" does not of itself constitute an authorization to the broker to enter into a contract for the sale of the lands on behalf of his principal. Judgment appealed from (7 West. W.R. 85) affirmed.

Appeal dismissed with costs.

J. F. Frame, K.C., for appellant. W. M. Martin, for respondents.

Que.] [March 15.

CANADIAN PACIFIC RY. CO. v. PARENT AND CHALIFOUR.

Railways—Shipping contract—Carrying person in charge of live stock—Free pass—Release from liability—Approved form—Negligence—Action by dependents—Conflict of laws—Railway Act, R.S.C. 1906, c. 37, s. 340.

The shipping bill for live stock, to be carried from Manitoba to its destination in the Province of Quebec, was in a form approved by the Board of Railway Commissioners and provided that, if the person in charge of the stock should be carried at a rate less than full passenger fare on the train by which the stock was transported, the company should be free from liability for death or injury whether caused by the negligence of the company or of its servants. C. travelled by the train in charge of the stock upon a "Live-Stock Transportation Pass," and signed conditions indorsed in English thereon by which he assumed all risks of injury and released the company from liability for damages to person or property, while travelling on the pass, whether caused by negligence or otherwise. While the