

sum of \$152.50 went for 500 Gifford, delivered to her in August, 1911. The sum of \$132.50 went with \$466.50 of Georgina's, to buy 1,000 Peterson Lake and 100 Temiskaming. The Temiskaming was delivered to Georgina and put in her name as it was a producing and dividend paying mine. The Peterson Lake was, with 200 ordered by Georgina in January, 1909, in all, 1,200, delivered to Kate August 15th, 1911.

Kate cannot complain, and this action must also be dismissed.

(3) The High Court action, *Georgina v. Smiley & Co.* The first item, \$192.50, was for her share of the 500 Otisse and 500 Gifford delivered to Kate.

The second, for the 1,000 Peterson Lake and 100 Temiskaming. The Temiskaming she got, the Peterson Lake was delivered to Kate for her. The third, \$96.25 was for 500 Rochester, she says, wholly her own speculation; Kate does not agree. On the whole, I think it was her own. The stock was delivered to Kate for her August 15th, 1911.

The fourth and last, \$180.50, was for 200 Peterson Lake and 500 Rochester, which were delivered to Kate for her August 15th, 1911. All this stock was delivered as soon as it was really asked for and, I think, the defendants are not liable. If they did make a mistake in looking upon Kate as an agent for her sister, the sister is not damnified.

I think all the actions must be dismissed, but I shall, if so desired, make a declaration as to the ownership of the stock as between Georgina and Kate.

There will be no costs.