

1911

\*Oct. 19.

\*Nov. 6.

## LANGLEY v. ROWLANDS.

ON APPEAL FROM THE COURT OF APPEAL OF BRITISH COLUMBIA.

*Principal and agent—Sale of land—Commission.*

APPEAL from a decision of the Court of Appeal for British Columbia(1), affirming the verdict for the plaintiff (respondent).

The plaintiff took an option on land of the defendant with the idea of promoting a syndicate to purchase it. Having failed in this he was allowed by the defendant to endeavour to sell the land for \$100,000 and a commission of \$5,000 more. He introduced a possible purchaser to the defendant, telling the former that the price was \$105,000, and asking the latter to protect him at that price. The person so introduced stayed on defendant's premises for some days, and having decided to purchase asked defendant the price and was told it was \$100,000, which he paid. The plaintiff brought action for his commission of \$5,000 and obtained a verdict at the trial which was maintained by the Court of Appeal.

An appeal by the defendant to the Supreme Court of Canada was dismissed.

*Appeal dismissed with costs.*

*J. Travers Lewis K.C.* for the appellant.

*Nesbitt K.C.* and *C. C. Robinson* for the respondent.

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\*PRESENT:—Sir Charles Fitzpatrick C.J. and Idington, Duff, Anglin and Brodeur JJ.