

1931

*Oct. 7, 8.

SOLLOWAY, MILLS & COMPANY *v.* SUNDERLANDON APPEAL FROM THE COURT OF APPEAL FOR BRITISH
COLUMBIA*Stock brokers—Conversion—Sale of customer's shares after order to sell
cancelled—Evidence*

APPEAL from the decision of the Court of Appeal for British Columbia (1), affirming the judgment of the trial judge, M. A. Macdonald J. (2), and maintaining the plaintiff respondent's action.

The plaintiff respondent was a customer of the stock brokerage company appellant and he brought an action in damages against that firm for selling shares of his after he had cancelled the order given to sell the shares. The trial judge, upon the evidence, found in favour of the respondent, which judgment was affirmed by the Court of Appeal.

*PRESENT:—Anglin C.J.C. and Duff, Newcombe, Rinfret and Lamont JJ.

(1) [1931] 2 W.W.R. 393

(2) (1930) 43 B.C. Rep. 297;
[1930] 3 W.W.R. 641.

The Supreme Court of Canada, after hearing counsel for the appellant and counsel for the respondent, dismissed the appeal with costs.

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SOLLOWAY,
MILLS & Co.
v.
SUNDERLAND.

Appeal dismissed with costs.

J. W. de B. Farris K.C. for the appellant.

J. A. MacInnes for the respondent.
