

1967

S. C. No. 12340

IN THE SUPREME COURT OF NOVA SCOTIA
APPEAL DIVISION

BETWEEN:

CHARLES A. BURNS

Appellant [Plaintiff]

- and

ROBERT HORNE, carrying on business
under the firm name and style of
MONTE VISTA FARMS

Respondent [Defendant]

McKINNON, C.J.N.S.:

This is an appeal from the decision of Hart, J., dated the 16th day of December, A. D., 1969, and the order for judgment based on such decision; the order is dated the 23rd of January, A. D., 1970.

The judgment of the learned trial Judge fully sets out the facts and the circumstances disclosed by the evidence.

As to all the grounds of appeal urged on the Court of Appeal, we are unanimous in finding full agreement with the reasons of Hart, J., and we are content simply to adopt them, nothing would be gained by repeating or summarizing what he said.

The appeal should be dismissed with costs.

DATED at Halifax, Nova Scotia, this 24th day of March, A.D., 1970.

Appeal Division:

McKinnon, C.J.N.S.
Coffin, J.A.
Cooper, J.A.

Counsel:

W. J. Grant, Q.C.
J. A. Innes, Esq. Appellant

L. A. Bell, Q.C.
J. M. Davison, Esq. Respondent