

Privy Council Appeal No. 14 of 1913.

The Molsons Bank - - - - *Appellants.*

v.

J. B. Klock - - - - *Respondent.*

FROM

**THE COURT OF KING'S BENCH FOR THE PROVINCE OF QUEBEC
(APPEAL SIDE).**

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF
THE PRIVY COUNCIL DELIVERED THE 16TH JULY 1914.

Present at the Hearing :

LORD MOULTON.

SIR CHARLES FITZPATRICK.

LORD SUMNER.

SIR JOSHUA WILLIAMS.

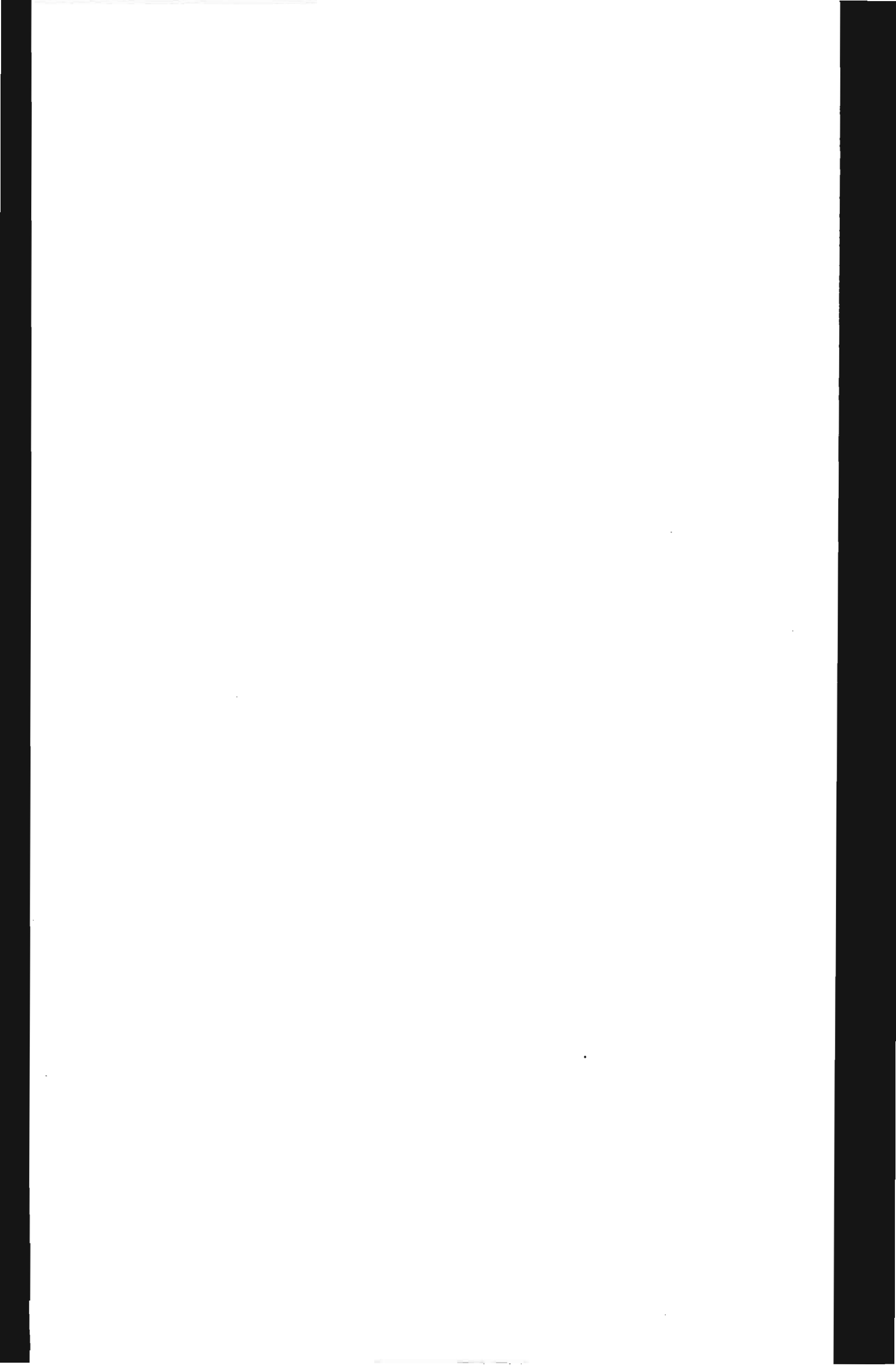
[Delivered by LORD MOULTON.]

This is an appeal from three concurrent judgments in a case in which the decision must ultimately turn on the view which the Court takes of the facts. There is no question of law whatever involved in it, and therefore the decision can only be of interest to the parties.

The facts are peculiar, but their Lordships do not think that they involve any serious difficulty when once there has been a pronouncement by the Court that has the best opportunity of judging of the reliability of the witnesses, and in this case the Judge of first instance has found the material issues in favour of the respondent. Their Lordships think, therefore, that there is no necessity for them to give a judgment dealing with the facts at length, but that it suffices to say they are thoroughly satisfied that the judgments of the Courts below are right

and should be affirmed. The appeal has been, in the opinion of their Lordships, pleaded with very great ability. Everything that could be said in favour of the view of the facts which the appellants wished to put before their Lordships has been said, but they do not feel that that has been sufficient in any way to shake their opinion of the accuracy of the judgments appealed from.

Their Lordships will therefore humbly advise His Majesty that the appeal should be dismissed, and the appellants will pay the costs.



In the Privy Council.

THE MOLSONS BANK

v.

J. B. KLOCK.

DELIVERED BY LORD MOULTON.

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