



refused delivery and told him to inform the respondent to come to him. The respondent went to him on the 6th of March, and spoke to him about the goods. He said he knew nothing about them. He said he gave the cash bill but knows nothing about the goods. She did not go back but went in search of a policeman who went along with her to the appellant who said that when people get goods they must take their goods and go with them.

The appellant gave evidence and said according to the bill the transaction did take place and that two cartons of milk were sold to the respondent. The goods were to be delivered immediately the money was paid unless the person had an account. He did not state that the woman took the goods and went away. He said nothing at all about the arrangement she said that was made within his hearing. He refused to deliver any goods. The magistrate found that the goods were bought and that they were deposited with the appellant or his servants who were to deliver them to the bus "Firefly". They were not delivered at all. On those findings the magistrate gave judgment for the respondent.

The appellant has appealed on the ground that the decision is against the weight of the evidence. Counsel for the appellant has been asked to point out what was unreasonable in the findings of the magistrate. He was unable to point out anything in the magistrate's decision which was unreasonable, but he submitted that the appellant, having established that it was not his custom to keep goods for people a custom was established that goods bought must be taken away immediately. I see no substance or merit in that argument and find nothing unreasonable in the decision of the magistrate. I would dismiss the appeal with costs.

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E.L. St. Bernard  
JUSTICE OF APPEAL

/LEWIS, C.J. (Ag.) .....

LEWIS, C.J. (Ag.)

The appeal is dismissed with costs.

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P. Cecil Lewis  
CHIEF JUSTICE (Ag.)

BISHOP, J.A. (Ag.)

I agree with the judgment just delivered.

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Eric H.A. Bishop  
JUSTICE OF APPEAL (Ag.)

