

CANADA / JUDGMENT

Macfarlane v. Davis

(1910) 47 SCR 399

COURT

Supreme Court of Canada

DECIDED

9 December 1910

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Macfarlane v. Davis Collection Supreme Court Judgments Date 1910-12-09 Report

(1910) 47 SCR 399 Judges Fitzpatrick, Charles; Girouard, Désiré; Davies, Louis Henry; Idington, John; Anglin, Francis Alexander On appeal from Saskatchewan Subjects Sale Decision Content Supreme Court of Canada Macfarlane v. Davis, [1910] S.C.R. 399 Date: 1910-12-09 Macfarlane v. Davis. 1910: October 21; 1910: December 9. Present: Sir Charles Fitzpatrick C.J. and Girouard, Davies, Idington and Anglin JJ. ON APPEAL FROM THE SUPREME COURT OF SASKATCHEWAN. Sale of land—Deceit—Misrepresentation—Honest belief—Pleading— Amendment—Adding new cause of action. APPEAL from the judgment of the Supreme Court of Saskatchewan[1], reversing the judgment of Johnstone J., at the trial, Newlands J. dissenting, and maintaining the plaintiff's (respondent's) action with costs. On the appeal of Macfarlane, one of the defendants, to the Supreme Court of Canada, after hearing counsel on behalf of both parties, the court reserved judgment, and, on a subsequent day, the appeal was allowed with costs, Idington J. dissenting. Appeal allowed with costs. Holman K.C. and A. J. Kidd for the appellant. Chrysler K.C. for the respondent.

[1] 3 Sask. L.R. 446, sub nom. Davis v. Burt.

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