

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, SUTHERLAND, and ROSE, JJ.

T. Mercer Morton and H. S. White, for the appellants.

J. H. Rodd, for the defendant, respondent.

THE COURT dismissed the appeal with costs.

SECOND DIVISIONAL COURT.

JANUARY 18TH, 1917.

MILLS v. FARROW AND LAZIER.

Fraud and Misrepresentation—Purchase of Land—Failure to Prove Misrepresentations—Reliance on Opinion rather than Allegations of Fact—Action for Rescission of Contract or Damages for Deceit—Dismissal—Appeal.

Appeal by the plaintiff from the judgment of SUTHERLAND, J., 10 O.W.N. 440.

The appeal was heard by MEREDITH, C.J.C.P., FERGUSON, J.A., and RIDDELL and ROSE, JJ.

D. J. Coffey, for the appellant.

I. F. Hellmuth, K.C., and E. C. Cattnach, for the defendants, respondents.

THE COURT dismissed the appeal with costs.

SECOND DIVISIONAL COURT.

JANUARY 19TH, 1917.

*HOFFMAN v. McCLOY.

Judgment—Declaration that Plaintiff Entitled to Percentage of Royalties Received by Defendant—Subsequent Order Directing Account of Royalties Received by Defendant since Judgment—Jurisdiction—Rules 65, 523—Merits.

Appeal by the defendant from an order of BOYD, C., in the Weekly Court at Toronto, of the 19th October, 1916, directing a reference to the Local Master at Stratford to take certain accounts.

*This case and all others so marked to be reported in the Ontario Law Reports.