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No. 22

APPELLATE DIVISION.

FIRST DIVISIONAL COURT.

JANUARY 27TH, 1919.

ELECTRICAL DEVELOPMENT CO. OF ONTARIO LIMITED
v. ATTORNEY-GENERAL FOR ONTARIO.

*Constitutional Law—Action against Attorney-General for Declaration
that Order in Council Ultra Vires—Order Setting aside Writ of
Summons on Summary Application—Appeal.*

Appeal by the plaintiffs from the order of MIDDLETON, J., in
Chambers, ante 329.

The appeal was heard by MEREDITH, C.J.O., MACLAREN,
MAGEE, HODGINS, and FERGUSON, J.J.A.

D. L. McCarthy, K.C., for the appellants.

Edward Bayly, K.C., for the defendant, respondent.

THE COURT dismissed the appeal with costs.

FIRST DIVISIONAL COURT.

JANUARY 27TH, 1919.

FERRIS v. EDWARDS.

*Vendor and Purchaser—Agreement for Sale of Land—Action by
Vendor for Specific Performance—Misrepresentations by Vendor
—Failure to Prove—Purchaser Acting upon his own Judgment
—Inspection of Land—Impossibility of Placing Parties in
Original Positions—Failure of Claim for Rescission—Findings
of Trial Judge—Appeal.*

Appeal by the defendant from the judgment of FALCON-
BRIDGE, C.J.K.B., 14 O.W.N. 311.