

The  
**Ontario Weekly Notes**

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APPELLATE DIVISION.

FIRST DIVISIONAL COURT.

SEPTEMBER 29TH, 1920.

CATTANACH AND DAVIS v. ELGIE.

*Fraud and Misrepresentation—Sale of Land and Chattels—Acceptance of Threshing Outfit as Part of Consideration—Misrepresentations as to Condition of Outfit—Reliance on—Inducement for Making Contract—Evidence—Damages—Costs.*

Appeal by the defendant from the judgment of KELLY, J., 18 O.W.N. 162.

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

G. R. Munnoch, for the appellant.

W. H. Barnum, for the plaintiffs, respondents.

THE COURT varied the judgment by reducing the damages awarded to the plaintiff Cattanach from \$800 to \$300 and directing that the plaintiffs should be allowed the full costs of the action. No costs of the appeal were allowed to either party.

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HIGH COURT DIVISION.

MIDDLETON, J.

SEPTEMBER 27TH, 1920.

\*CRIDLAND v. CITY OF TORONTO.

*Municipal Corporations—By-law Regulating Erection of Buildings—Application for Permit to Erect Factory—"Residential" Street not so Declared—Amending By-law Giving Power to Inspector of Buildings to Withhold Permit—Ultra Vires—Mandatory Order—Costs.*

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

8—19 o.w.n.