

CHAPTER VIII.

WRONGS OF FRAUD, BAD FAITH, AND OPPRESSION.

I. <i>Deceit.</i>	PAGE
Existence of the wrong .....	281
Concurrent jurisdiction of common law and equity .....	281
Defects of the subject: complication with contract .....	282
Presumptions of fraudulent intent .....	283
Deceit of agents .....	284
General conditions of right of action .....	284
(a) Falsehood in fact .....	285
Misrepresentations of law .....	287
Falsehood by garbled statements .....	288
(b) Knowledge or belief of defendant .....	288
Representations subsequently discovered to be untrue ..	292
Reckless assertions .....	294
Breach of special duty to give correct information ...	294
Estoppel. <i>Burrowes v. Locke</i> : former supposed rule of equity .....	295
(c) Intention of the statement .....	297
Representations to class: <i>Polhill v. Walter</i> .....	298
<i>Denton v. G. N. R. Co.</i> .....	299
<i>Peck v. Gurney</i> .....	299
(d) Reliance on the representation .....	300
Means of knowledge immaterial without independent inquiry .....	301
Perfunctory inquiry will not do .....	302
Ambiguous statements .....	303
(e) Lord Tenterden's Act .....	304
Equity and law under Judicature Acts .....	305
Misrepresentation by agents .....	306
Liability of corporations herein .....	308
Reason of an apparently hard law .....	309
II. <i>Slander of Title.</i>	
Slander of title .....	310
Recent extensions of the principle .....	310
Trade marks and trade names .....	313
Unfair competition .....	316

III. *Malicious Prosecution and Abuse of Process.*

Malicious prosecution .....	316
Malicious civil proceedings .....	319