

shares which he has been induced to take by means of fraudulent misrepresentations of their agents; but important considerations still will arise, where the misrepresentations are said to be contained in reports or balance sheets which are intended for the Shareholders only, but which have been published to the world at large. How far any person may come in and say that he was led by these representations, which were not made to him, but which were intended for the Shareholders of the Company, to take shares, and that the statements are untrue, and that therefore he ought to be relieved from his contract—how far that may be the case, is a question worthy of very serious consideration, and it is one upon which I do not feel it at all necessary at present to enter. Other difficulties may be suggested, but it is sufficient to dispose of this case by saying that there is no proof whatever of any misrepresentation—that the only ground upon which the Lords Justices have proceeded, that is, with regard to the title to the lands being doubtful, is entirely removed. There is no doubt whatever that the title is a good and absolute and indefeasible title; and therefore, upon the grounds which I have stated, I agree with my noble and learned friends that the Decree of the Lords Justices ought to be reversed, and that the Decree of the Vice-Chancellor ought to be varied in the way which has been proposed by my noble and learned friend on the Woolsack, because I think that it is always right that where parties charge fraud, and fail upon that charge, their Bill should be dismissed, with costs.

*Order appealed from, Reversed.*

*Petition of Re-hearing before the Lords Justices, to be Dismissed, with Costs.*

*Decree of the Vice-Chancellor varied, by directing Plaintiff's Bill to be dismissed with Costs.*