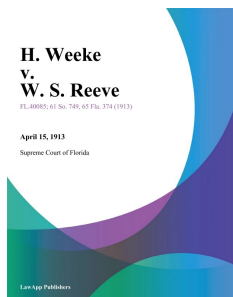


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H WEEKE V W S REEVE EBOOKS 2019



Author: Supreme Court of Florida

Realese Date: Expected @@expectedReleaseDate@@

WHITFIELD, J. -- On April 6, 1911, the appellant brought suit in the Court of REcord for Escambia County seeking a rescission of a conveyance of land on the ground of fraudulent misrepresentations. A demurrer to the bill of complaint was sustained and amendments o the bill were made. To the amended bill the defendant Reeve pleaded that prior to the filing of the bill of complaint, the complainant herein brought an action against the defendant to recover damages for fraudulent misrepresentations in the sale and conveyance of the land, and that such action had resulted in a final judgment for the defendant Reeve. This plea was sustained by the court. By way of replication to the plea the plaintiff alleged that the common law action for damages was not authorized by him or instituted with his knowledge or consent. Testimony was taken and the court finding that the evidence sustained the plea and did not sustain the replication, dismissed the bill of complaint. A rehearing was denied and the complainant appealed.

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