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HALL *v.* KNOX

ON APPEAL FROM THE COURT OF APPEAL FOR BRITISH  
COLUMBIA

1927

\*Oct. 6, 7.  
\*Oct. 31.

*Contract—Arrangement for selecting, cruising and checking timber berths  
—Repudiation—Damages—Measure of.*

APPEAL from the decision of the Court of Appeal for British Columbia (1), reversing the judgment of the trial judge, Macdonald J., and maintaining the respondents' action.

The respondents brought an action in damages against the appellants based on the alleged repudiation by the latter of a contract by correspondence in relation with the sale of timber limits in British Columbia.

The trial judge dismissed the action, holding that the appellants were in the circumstances of the case justified in repudiating the contract; but this judgment was reversed by the Court of Appeal.

The appeal to the Supreme Court of Canada was allowed with costs and the judgment of the trial judge was restored.

*Appeal allowed with costs.*

*I. F. Hellmuth K.C.* and *W. F. Johnson* for the appellant.

*D. L. McCarthy K.C.* for the respondent.

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\*PRESENT:—Anglin C.J.C., Mignault, Newcombe, Rinfret and Smith JJ.