

Supreme Court of Canada
Franklin v. Reardon, (1917) 55 S.C.R. 613
Date: 1917-10-26

Franklin v. Reardon.

1917: October 22; 1917: October 26.

Present: Sir Charles Fitzpatrick C.J. and Davies, Idington, Duff and Anglin J.J.

ON APPEAL FROM THE SUPREME COURT OF NOVA SCOTIA.

Contract—Company—Transfer of shares.

APPEAL from a decision of the Supreme Court of Nova Scotia¹, reversing the judgment at the trial by which the action was dismissed.

By agreement between the parties, stock of a theatre company was to be transferred to the plaintiff Reardon and his nominee, who brought action to enforce it claiming a mandatory order for the transfer and for election of plaintiff and his nominee as directors and judgment as prayed was given in his favour.

After hearing counsel the Supreme Court of Canada, with consent of both parties, varied the judgments below by striking out the order restraining defendant from excluding plaintiff and his nominee from being directors and from selling stock to any others.

Appeal dismissed without costs.

F. H. Bell K.C. for the appellants.

Mellish K.C. for the respondent.

¹ 51 N.S. Rep. 161.