



Alleged Misrepresentation

County Court, Monday, Before His Honour Judge Hooper

William J. Jackson, head coachman to Lord Arundel of Wardour v Charles Parsons, a thatcher of Ansty.

Plaintiff, who was represented by Mr. W. Marsh, of Yeovil, sought to recover £2 2s. 6d., damages through alleged misrepresentation of the condition of a heifer he purchased of the defendant.

Parsons was represented by Mr. A. E. Eaton from the office of Mr. J. Trevor-Davies, of Yeovil.

The case for the plaintiff was that in the early part of March last he went to the defendant's for the purpose of buying a cow. He was shown a heifer, which Parsons said was in calf, and on the strength of this statement, he purchased the animal for £12. About three weeks afterwards, it became evident that the heifer was barren, and plaintiff wrote to the defendant telling him that he should sell it at Tisbury Repository and charge him with the difference in the price it realised from that which he paid for it, also its keep for five weeks at 2s. 6d. a week. The heifer was sold and realised, after payment of auctioneer's fees, £10 11s. 4d. Plaintiff admitted there was no warranty that the heifer was in calf.

For the defence, it was contended that the defendant merely told the plaintiff he believed the heifer was in calf.

Defendant called the bailiff to Lord Arundel (named Holloway), who was with the plaintiff at the time of the purchase and who denied that defendant absolutely said the heifer was in calf.

Judgement for the defendant.

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