

S U M M A R Y

Principal and agent – defendant acting as agent for company in sale agreement disposing surplus equity in immovable property to plaintiff as seller. The defendant purposely or fraudulently concealing to plaintiff that *merx* already sold by company to another purchaser – the defendant as attorney and conveyancer by such concealment not relieved of liability to injured party for damages for his delict – failure of defendant to testify leading to adverse inference drawn by court.