

The Ontario Weekly Notes

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TORONTO, OCTOBER 11, 1918.

No. 5

APPELLATE DIVISION.

SECOND DIVISIONAL COURT.

SEPTEMBER 30TH, 1918.

MACDONELL v. KEEFER.

*Mortgage—Action on—Title of Mortgagee—Failure to Impugn—
Evidence—Amount Due—Interest.*

Appeal by the defendant from the judgment of LATCHFORD,
J., 14 O.W.N. 25.

The appeal was heard by MULOCK, C.J.Ex., RIDDELL, SUTHER-
LAND, and KELLY, JJ.

Peter White, K.C., for the appellant.

J. L. Whiting, K.C., for the plaintiff, respondent.

THE COURT dismissed the appeal with costs.

HIGH COURT DIVISION.

MEREDITH, C.J.C.P.

SEPTEMBER 25TH, 1918.

RE SMITH.

*Will—Construction—Devise of Farm to Son for Life Subject to
Charge of Legacies and Annuity to Widow—Death of Son before
Payment of Legacies—Survival of Widow—Residuary Gift—
Sale of Farm—Disposition of Proceeds.*

Motion by the executor of the will of Thomas Smith, deceased,
for an order declaring the true interpretation thereof in regard to
certain questions which had arisen.

7—15 o.w.n.