

The
Ontario Weekly Notes

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APPELLATE DIVISION.

FIRST DIVISIONAL COURT.

NOVEMBER 9TH, 1920.

CYCLONE WOVEN WIRE FENCE CO. LIMITED v.
CANADA WIRE AND CABLE CO. LIMITED.

*Landlord and Tenant—Lease—Rent—Destruction of “Building”—
Special Proviso—Group of Buildings—Premises Becoming
Unfit for Occupancy—Termination of Lease—Conditions Pre-
cedent—Liability for Rent—Apportionment Act, R.S.O. 1914
ch. 156, sec. 4—Surrender—Damages—Breaches of Covenants
—Costs.*

An appeal by the plaintiffs and a cross-appeal by the defendants
from the judgment of ROSE, J., 18 O.W.N. 103.

The appeal and cross-appeal were heard by MEREDITH, C.J.O.,
MAGEE, HODGINS, and FERGUSON, JJ.A.

D. J. Coffey, for the plaintiffs.

I. F. Hellmuth, K.C., and H. E. McKittrick, for the defend-
ants.

THE COURT dismissed both appeals without costs.

FIRST DIVISIONAL COURT.

NOVEMBER 10TH, 1920.

KRANZ v. McCUTCHEON.

*Contract—Option for Purchase of Oil-leases—Undertaking of
Purchaser to Drill Wells and Develop Property—Breach—
Misrepresentations—Failure to Prove—Construction of Contract
—Damages—Measure of—Reference—Costs.*

An appeal by the defendant from the judgment of MASTEN, J.,
18 O.W.N. 395.

17—19 o.w.n.