

# The Ontario Weekly Notes

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No. 19

## APPELLATE DIVISION.

JULY 12TH, 1915.

### \*DOEL v. KERR.

*Execution—Leave to Renew—Judicial Act—Judgment—Statute of Limitations.*

Appeal by three of the defendants from the order of MIDDLETON, J., 8 O.W.N. 244.

The appeal was heard by MEREDITH, C.J.O., GARROW, MACLAREN, MAGEE, and HODGINS, J.J.A.

C. A. Moss, for the appellants.

C. C. Ross, for Lilian L. Doel, executrix of the deceased plaintiff, respondent.

The judgment of the Court was delivered by MEREDITH, C.J.O., who briefly stated the facts and referred to Poucher v. Wilkins (1915), 33 O.L.R. 125, saying that the question which had arisen in this case was left open and untouched by the decision in that case. He saw no reason for differing from the conclusion of Middleton, J., which seemed to be well supported by the cases to which he referred.

*Appeal dismissed with costs.*

JULY 12TH, 1915.

### \*RE HUNT AND BELL.

*Covenant—Conveyance of Land—Building Restriction—Effect of Tax Sale and Conveyance—Assessment Act, R.S.O. 1914 ch. 195, sec. 178—Vendor and Purchaser—Objection to Title—8 Edw. VII. ch. 118, sec. 8.*

Appeal by the vendors from the order of MIDDLETON, J., ante 424.

\*This case and all others so marked to be reported in the Ontario Law Reports.

48—8 o.w.n.