

HON. MR. JUSTICE KELLY.

JANUARY 31ST, 1913.

RE YEO.

4 O. W. N. 734.

*Lunatic—Petition—Dismissal.*

Application for an order declaring Wm. Yeo to be of unsound mind, and for the appointment of a committee of his person and estate.

KELLY, J., dismissed petition, with costs.

F. Aylesworth, for applicant.

Wallace, K.C., Woodstock, for Yeo.

HON. MR. JUSTICE KELLY:—A very careful consideration of this matter convinces me that the application should not have been made.

It is, therefore, dismissed with costs.

HON. MR. JUSTICE BRITTON.

JANUARY 23RD, 1913.

HOLDEN v. RYAN.

4 O. W. N. 668.

*Vendor and Purchaser—Building Restrictions—“One Building”—  
Contempt of Court—Motion to Commit—Amendment of Plans  
and Structure—“Front” of Building—Defendant given Benefit  
of Doubt.*

Motion to commit defendant for breach of the injunction herein granted by TEETZEL, J. (22 O. W. R. 767). Since that judgment defendant had altered her plans and placed a permanent doorway in the vertical wall formerly dividing the building.

BRITTON, J., *held*, that the building was no longer two buildings, but one building, and that, therefore, the motion must be dismissed with costs.

*Ilford Park Estates Ltd. v. Jacobs*, [1903] 2 Ch. 522, 526, referred to.

Motion to commit defendant for breach of the injunction granted by the judgment of HON. MR. JUSTICE TEETZEL on the 9th July, 1912, restraining the defendants from proceeding with the erection of a building or buildings on the corner of Palmerston avenue and Harbord street in contravention of certain building restrictions to which that land—owned by the defendant—was liable.