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TORONTO, OCTOBER 13, 1916.

No. 5

APPELLATE DIVISION.

SECOND DIVISIONAL COURT.

OCTOBER 4TH, 1916.

MORRIS v. MORRIS.

Contract—Agreement as to Land by Tenants in Common—Intention to Sell—Judgment for Partition or Sale—Postponement of Proceedings under, until Expiry of Period Mentioned in Agreement.

Appeal by the plaintiffs from the judgment of MIDDLETON, J., 10 O.W.N. 287.

The appeal was heard by MEREDITH, C.J.C.P., RIDDELL, LENNOX, and MASTEN, JJ.

H. E. Rose, K.C., and G. H. Pettit, for the appellants.

W. N. Tilley, K.C., for the defendant, respondent.

THE COURT allowed the appeal with costs, and struck out para. 6 of the judgment.

SECOND DIVISIONAL COURT.

OCTOBER 4TH, 1916.

*BANK OF OTTAWA v. CHRISTIE.

Promissory Note—Demand Note—Accommodation Endorsers—Advances by Bank—Defence to Action on Note—Unreasonable Delay in Presentation for Payment—Bills of Exchange Act, R.S.C. 1906 ch. 119, sec. 181—"Continuing Security"—Agreement for Payment out of Moneys Deposited to Credit of Maker—Evidence.

Appeals by the defendants from the judgment of MIDDLETON, J., 10 O.W.N. 335.

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

6—11 o.w.n.