

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

G. H. Kilmer, K.C., for the appellants.

I. F. Hellmuth, K.C., and H. A. O'Donnell, for the defendant, respondent.

THE COURT dismissed the appeal with costs.

FIRST DIVISIONAL COURT.

JANUARY 21ST, 1921.

LAUGHLIN v. PORTEOUS.

*Mortgage—Conveyance of two Parcels of Land Subject to—Covenant—Assignment—Judgment—Indemnity—Foreclosure—Ability to Reconvey one Parcel only—Inability of Covenantor Originally Liable to Meet Obligation—Effect of—Depreciated Condition of one Parcel.*

Appeal by the defendants from the judgment of LATCHFORD, J., ante 184.

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

G. F. Henderson, K.C., for the appellants.

John R. Osborne, for the plaintiffs, respondents.

THE COURT dismissed the appeal with costs

HIGH COURT DIVISION.

KELLY, J.

JANUARY 17TH, 1921.

CANADIAN BANK OF COMMERCE v. PATRICIA SYNDICATE AND ROSS.

*Trial—Application by Defendant for Postponement—Grounds for—Evidence—Absence—Delay—Rights of Plaintiffs—Refusal of Motion.*

Motion by the defendant Ross to postpone the trial of this action until June, 1921, on the allegation that he was unable to attend the trial sooner.