

*Held*, that they were irregularities which did not affect the result, the voting having been conducted in accordance with the principles laid down in the Act, within the meaning of s. 204; and the motion was refused.

Decision of MAGEE, J., affirmed.

Watson, K.C., and Halpin, for applicants. Middleton, for corporation.

Meredith, C.J.C.P., Teetzel, J., Clute, J.]

[May 27.

DOULL v. DOELLE.

*Married woman—Judgment against separate estate—Proceeds of life insurance policy—Separate estate—Garnishment.*

The plaintiff was a judgment creditor of the defendants by virtue of a judgment against her separate estate recovered on bills of exchange accepted by the defendant, a married woman engaged in trade, for her trade debts. On the death of her husband she became entitled to the proceeds of a policy of insurance on his life which he had made payable to her as beneficiary.

*Held*, that the effect of s. 159 of c. 203 R.S.O. 1897, is to create a statutory trust of the money payable under the policy in favour of the wife without restraint on anticipation; that on the death of her husband the absolute right to the money became vested in her: that her original interest in the trust was separate property within the contemplation of the Married Woman's Property Act, R.S.O. c. 163, 1897, and that the fruits of the trust were separate property, and as such liable to satisfy the plaintiff's judgment.

Roche, for plaintiff. Middleton, for defendant.

Cartwright—Master.]

[June 6.

MUIR v. GUINANE.

*Dismissal of action—Default of plaintiff—Application for relief—Service on defendant's solicitor—Duration of retainer—Jurisdiction of Master in Chambers—Solicitor's slip—Statute of Limitations.*

Wherever a judgment has been entered on default of either party, a possible remedy is provided by Rule 358, and so long