

fense en droit produite à l'encontre de la présente action ;

“ Considérant que les aliments ne sont dûs à la mère, par les enfants, pendant la vie du mari, qu'à défaut par celui-ci de les lui fournir ;

“ Considérant que la demanderesse n'alègue pas que son mari est incapable de lui fournir des aliments, et qu'il ne résulte pas de ce qu'elle est pauvre, qu'elle est dans le besoin, et qu'elle ne peut pas pourvoir à sa subsistance et à son entretien ;

“ Maintient la défense en droit, et renvoie l'action de la demanderesse avec dépens.”

Demurrer maintained.

F. X. Drouin, for the plaintiff.

L. F. Pinault, for the defendants.

J. Frémont, counsel for defendants.

(J. O'F.)

APPEAL REGISTER—MONTREAL.

May 26.

McGreevy & Russell (Quebec Case).—According to notices given to parties interested, judgment is rendered upon respondent's motion for re-transmission of the record, which is granted for costs only.

Dudley & Darling.—Judgment reversed, *Cross, J., diss.*

Ralston & Stansfeld.—Judgment confirmed, *Monk, J., diss.*

Montreal City Passenger Railway Co. & Irwin.—Judgment confirmed.

Papineau & Corporation N. D. de Bonsecours.—Re-hearing ordered upon the question whether a roll made by a valuator not qualified is valid.

Caty & Perrault.—Judgment confirmed with costs of first class.

Greene Sons & Co. & Bazin.—Judgment reformed; appellants condemned to pay \$30, and costs of an action of that class, and respondent condemned to pay costs in appeal.

Vennor & Life Association of Scotland.—Judgment reversed, with costs of first class.

Harbor Commissioners & Hus & Dominion Steamship Co.—Judgment on the appeal of the Harbor Commissioners against Hus reversed

with costs, and appeal of Harbor Commissioners against Steamship Company rejected with costs (*Tessier, J., diss.*)

Whitehead & Kieffer & White.—Hearing on merits concluded. C. A. V.

Kieffer et al. & Whitehead.—Hearing resumed and concluded. C. A. V.

May 27.

Breckon & Kane.—Motion for leave to appeal from interlocutory judgment rejected, *Ramsay, J., diss.*

Trust & Loan Co. & Panneton.—Judgment reversed, each party paying his own costs in all courts.

Courville & Leduc.—Judgment confirmed.

Guest & Douglas.—Judgment confirmed.

Normandeau & McDonell.—Judgment confirmed except as to a slight modification.

Central Vermont Railroad & Lareau.—Judgment reversed.

Exchange Bank of Canada & Canadian Bank of Commerce.—Judgment reversed.

Duranceau & Larue.—Judgment confirmed.

Morin & Roy.—Judgment reversed; Judgment in favor of Morin for \$50, with costs of C. C. action appealable, and costs in appeal.

Vennor & Life Association of Scotland.—Motion for leave to appeal to P. C. granted.

Crowley & Dorion; Courtemanche & Fournier; Exchange Bank & Hart; Charland & Bigouette.—Appeal *perimé*.

Heyneman & Harris.—Heard on merits. C. A. V.

Boyce & Phoenix Mutual Ins. Co.—Heard on merits. C. A. V.

May 28.

Pattison & Banque du Peuple.—Heard on merits. C. A. V.

Fairbanks & Barlow, & O'Halloran.—Heard on merits, C. A. V.

Canada Investment Co. & Hudon.—Appeal struck, the parties having declared that the case has been settled.

Sincennes-McNaughton Line & Manhattan Fire Ins. Co.—Heard on merits. C. A. V.

Joyce & McCull.—Heard on merits. C. A. V.

The Court adjourned to June 30.